

# EXHIBIT C.31

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

SHABTAI SCOTT SHATSKY, et al., )  
 )  
Plaintiffs, )  
 )  
v. ) Civil Action No.  
 ) 1:02-CV-02280 (RJL)  
THE SYRIAN ARAB REPUBLIC, et al., )  
 )  
Defendants. )  
\_\_\_\_\_ )

VIDEOCONFERENCE DEPOSITION OF

YASSER SHAQBU'A

JERUSALEM, ISRAEL

SEPTEMBER 12, 2012

REPORTED BY: AMY R. KATZ, RPR

SEPTEMBER 12, 2012 - YASSER SHAQBU'A

1           Videoconference deposition of YASSER SHAQBU'A,  
2 taken in the above-entitled cause pending in the United  
3 States District Court for the District of Columbia,  
4 pursuant to notice, before AMY R. KATZ, RPR, at the  
5 American Colony Hotel, Executive Room, Jerusalem,  
6 Israel, on Wednesday, the 12th day of September, 2012,  
7 at 4:09 p.m.

8  
9  
10 APPEARANCES:

11 FOR PLAINTIFFS:

12           LAW OFFICES OF DAVID I. SCHOEN  
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1 APPEARANCES (Continued):

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3 (in Jerusalem)

4 ALBERT AGHAZARIAN, Official Arabic Interpreter

5 DOV RABINOVITCH, Official Arabic Interpreter

6 GEORGE HAZOU, Check Arabic Interpreter

7 MORDECHAI HALLER, Advocate

8 AVI LEITNER, Advocate

9 ARIEH SPITZEN

10 FOUAD, Video Streaming Coordinator

11  
12 (in Amman)

13 SOMMAYA YASER ALAYAM, Check Arabic Interpreter

## I N D E X

## WITNESS

Yasser Shaqbu'a

## EXAMINATION

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By Mr. McAleer

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## E X H I B I T S

## LETTER

## DESCRIPTION

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REFERENCE

Exhibit A

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(Retained by Counsel)

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Exhibit B

Blank Folded Document  
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Exhibit C

Four-Page Document from  
Black Bag  
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## Q U E S T I O N S I N S T R U C T E D

## N O T T O A N S W E R

(None.)

P R O C E E D I N G S

MR. SCHOEN: All right. Ladies and gentlemen, we're on the record live from Amman, Jordan, with Yasser Shaqbu'a.

Is my pronunciation okay so far, Mr. Shaqbu'a?

MR. McALEER: Should we have a translation?

(Last colloquy translated.)

THE WITNESS: Yes, yes.

MR. SCHOEN: Okay. We've been having the practice of just putting on --

THE COURT REPORTER: Wait. I need appearances first.

MR. SCHOEN: Yeah, in a minute. And do you need to swear them in again, or are they already sworn?

THE COURT REPORTER: I think I have to for each deposition.

MR. SCHOEN: All right. Let me just say who is in this room on our side, and then if you all would do the same on your end.

OFFICIAL INTERPRETER RABINOVITCH: Dov Rabinovitch, interpreter --

MR. SCHOEN: No, I mean translate what I just said.

(Last colloquy translated.)

16:10:39 1 MR. SCHOEN: Let me just say who is present  
16:10:39 2 in this room. I'm David Schoen. And also in the room  
16:10:51 3 with me is Mordechai Haller, Avi Leitner; the court  
16:10:59 4 reporter, Amy; Arie Spitz is our consulting expert.

16:11:11 5 MR. HIBEY: Richard Hibey here with George  
16:11:13 6 Hazou as check translator. We are for the defendants.

16:11:26 7 MR. SCHOEN: And Albert and Dov also are  
16:11:29 8 translators here. And Fouad, who is running the whole  
16:11:37 9 show, also is here in the room with us.

16:11:45 10 We are at the American Colony Hotel. And  
16:11:49 11 it's my understanding that this is being recorded, a  
16:11:54 12 voice recording. And we have a court reporter taking  
16:12:00 13 the testimony.

16:12:08 14 How about on your end?

16:12:13 15 MR. McALEER: In Amman, Jordan, this is  
16:12:17 16 Charles McAleer, of the law firm of Miller & Chevalier  
16:12:23 17 Chartered. I am appearing here as counsel for  
16:12:33 18 defendants, along with my partner, Mr. Richard Hibey,  
16:12:39 19 who is in Jerusalem.

16:12:52 20 I am counsel for the witness, Mr. Yasser  
16:12:54 21 Shaqbu'a, who is appearing here today pursuant to  
16:13:10 22 the Second Amended Notice to the Palestine Liberation  
16:13:14 23 Organization that was dated July 30, 2012, and pursuant  
16:13:30 24 to communications previously made to the plaintiffs.

16:13:45 25 Mr. Shaqbu'a is here as a designee of the

16:13:57 1 PLO regarding Categories 1 and 2 of the Second Amended  
16:14:07 2 Notice. And to the extent that Categories 3 and 4  
16:14:19 3 of that notice involve financial issues pertaining  
16:14:35 4 to those categories, Mr. Shaqbu'a is a designee as  
16:14:46 5 to such financial issues.

16:14:53 6 And Mr. Shaqbu'a is also a designee regarding  
16:14:57 7 Category 8, with respect to searches that Mr. Shaqbu'a  
16:15:07 8 conducted as an employee of the Palestine National  
16:15:20 9 Fund --

16:15:33 10 (Brief exchange in Arabic among Official  
16:15:35 11 Interpreter Rabinovitch, Check Interpreter Hazou,  
16:15:37 12 and the witness.)

16:15:40 13 MR. McALEER: -- regarding the matters  
16:15:43 14 addressed in that topic.

16:15:44 15 Finally, in the room is a person who is here  
16:15:52 16 with respect to facilitating certain translation issues  
16:15:56 17 for me.

16:16:03 18 MR. SCHOEN: We're getting some problem with  
16:16:04 19 the mike. Is anybody touching a mike on that end or  
16:16:08 20 anything?

16:16:13 21 MR. McALEER: No. The microphone is in the  
16:16:15 22 middle of the table. And, in fact, you can see it in  
16:16:19 23 front of Mr. Shaqbu'a's glass of water, and it's not  
16:16:31 24 being touched.

16:16:32 25 MR. SCHOEN: Are you getting static



16:16:39 1 periodically or not?

16:16:41 2 MR. McALEER: We have a relatively clear  
16:16:45 3 audio feed from East Jerusalem. The picture at times  
16:16:52 4 becomes slightly blurred or distorted. But, otherwise,  
16:16:58 5 we have a clear audio feed, the slight echo of the room  
16:17:05 6 and the audio system notwithstanding.

16:17:25 7 I will instruct Mr. Shaqbu'a that, if during  
16:17:29 8 the course of the deposition, he has trouble hearing  
16:17:33 9 the translation on the Jerusalem end, that he should  
16:17:40 10 so notify you, Mr. Schoen.

16:17:58 11 MR. SCHOEN: Now, just now we had a big  
16:18:00 12 static. Did anything different happen over there?

16:18:03 13 CHECK INTERPRETER ALAYAM: No.

16:18:12 14 MR. McALEER: No. I shifted in my chair,  
16:18:15 15 but I doubt that was it.

16:18:17 16 MR. SCHOEN: Okay. We'll just have to deal  
16:18:19 17 with it.

16:18:22 18 What's the name of the third person in the  
16:18:24 19 room?

16:18:28 20 MR. McALEER: The third person in the room  
16:18:30 21 is named Sommaya, S-o-m-m-a-y-a, Yaser, Y-a-s-e-r,  
16:18:39 22 Alayam, A-l-a-y-a-m.

16:18:52 23 MR. SCHOEN: Okay. Two quick responses to  
16:18:55 24 some things Mr. McAleer said.

16:18:59 25 Regarding the subjects for which Mr. Shaqbu'a

16:19:02 1 has been designated, I have in my hand an e-mail from  
16:19:12 2 Mr. McAleer to me, dated September 10, 2012, and it  
16:19:25 3 lists his subjects as PLO notice Topics 1, 2, and 8,  
16:19:37 4 but nothing about 3 and 4.

16:19:44 5 And with respect to No. 8, what I heard  
16:19:50 6 Mr. McAleer say was that Mr. Shaqbu'a is prepared to  
16:19:56 7 testify or is designated to testify about the details  
16:20:04 8 of searches that he conducted. But Topic No. 8 refers  
16:20:16 9 to the details of any and all searches conducted by the  
16:20:26 10 PLO for documents and information responsive to each of  
16:20:36 11 the discovery requests served by plaintiffs on the PLO.  
16:20:51 12 And then the sentence continues.

16:20:57 13 So to be clear, is Mr. Shaqbu'a only  
16:21:00 14 designated as to searches that he, Mr. Shaqbu'a,  
16:21:11 15 conducted?

16:21:14 16 MR. McALEER: Mr. Shaqbu'a, with respect  
16:21:16 17 to Category 8, is here as a designee with respect to  
16:21:22 18 searches conducted at the Palestine National Fund by  
16:21:26 19 Mr. Shaqbu'a regarding financial issues --

16:21:32 20 MR. SCHOEN: Okay.

16:21:45 21 MR. McALEER: -- with respect to the topics  
16:21:47 22 that I previously mentioned.

16:21:52 23 And let me say, with respect to your comment  
16:21:56 24 concerning Categories 3 and 4, and leaving aside issues  
16:22:08 25 that we have regarding the generalized nature of those

16:22:14 1 categories, my point is simply that, to the extent that  
16:22:28 2 Mr. Shaqbu'a is here to testify regarding financial  
16:22:34 3 transactions, if any, that might be responsive to  
16:22:39 4 Categories 1 and 2, there simply may be overlap with  
16:22:56 5 the financial aspects of Categories 3 and 4, depending  
16:23:10 6 upon what questions you ask, unfortunately's, Categories  
16:23:21 7 1, 2, 3, and 4 are very overbroad and vague.

16:23:40 8 MR. SCHOEN: Let's just leave it that I have  
16:23:43 9 a continuing objection to that kind of characterization,  
16:23:46 10 and I'm not going to respond each time to such a  
16:23:51 11 characterization.

16:23:51 12  
16:23:51 13 (The following proceedings were conducted  
16:23:51 14 through the official Arabic interpreters, unless  
16:23:51 15 otherwise indicated.)  
16:23:51 16

16:23:51 17 EXAMINATION

16:24:03 18 BY MR. SCHOEN:

16:24:03 19 Q. Okay. Mr. Shaqbu'a, could you tell us your  
16:24:07 20 full name, please.

16:24:12 21 A. My name is Yasser Musa Hassan Shaqbu'a.

16:24:19 22 Q. How old are you?

16:24:25 23 A. 46 years old.

16:24:29 24 Q. Where do you live?

16:24:34 25 A. I live in Amman.

16:24:36 1 Q. How long have you lived in Amman?

16:24:39 2 A. I was born in Amman --

16:24:46 3 Q. And have you lived --

16:24:53 4 A. -- and I live in Amman.

16:24:55 5 Q. Have you lived in Amman all of your life?

16:25:05 6 A. I went out to -- for studies for four years.

16:25:09 7 Q. When was that?

16:25:19 8 A. 1985 until 1989.

16:25:23 9 Q. Where did you go for those studies during

16:25:26 10 those four years?

16:25:33 11 A. I studied in Iraq, in Al-Basra University.

16:25:39 12 Q. And what was your -- did you receive a degree?

16:25:46 13 A. I took a BA in accounting.

16:25:48 14 Q. And you got that in 1989?

16:25:51 15 (Comment in Arabic by the witness.)

16:25:51 16 MR. SCHOEN: What's the answer? I'm sorry.

16:26:06 17 We didn't hear your answer on this end.

16:26:11 18 MR. McALEER: Let me interrupt.

16:26:12 19 Part of the problem is we're going to have

16:26:16 20 to do consecutive translation, because the talking over

16:26:20 21 here in simultaneous translation is making it difficult

16:26:26 22 for the witness to hear and to be able to respond.

16:26:42 23 Q. BY MR. SCHOEN: Okay. You got your degree

16:26:44 24 in 1989?

16:26:51 25 A. Yes.

16:26:53 1 Q. After 1989, or after you got your degree, you  
16:26:57 2 returned to Amman to live?

16:27:12 3 A. I returned to Amman, and I started to work.  
16:27:14 4 And I worked in the Palestinian National Fund starting  
16:27:25 5 from December 1, 1989.

16:27:28 6 Q. And you've been employed by the Palestine  
16:27:31 7 National Fund since December 1, 1989, until today?

16:27:48 8 A. Yes, until today.

16:27:50 9 Q. Have you had any other job since 1989?

16:28:03 10 A. I had some -- I had some private works,  
16:28:07 11 a private company.

16:28:09 12 Q. What's the -- what kind -- what kind of  
16:28:13 13 private --

16:28:19 14 A. It was in accounting and computer services.

16:28:26 15 Q. When did you have those jobs?

16:28:37 16 A. This was in addition to my regular position.

16:28:42 17 Q. Okay.

16:28:45 18 A. From 1993 until 1997.

16:28:49 19 Q. Okay. And other than 1985 until 1989, you  
16:28:56 20 have always lived in Amman?

16:29:08 21 A. Yes.

16:29:08 22 Q. As an employee of the -- I'm going to call  
16:29:16 23 it "PNF" for the "Palestine National Fund."

16:29:20 24 As an employee -- oh, sorry. Go ahead.

16:29:23 25 (Last comment by counsel translated.)

16:29:23 1 Q. BY MR. SCHOEN: Who pays your salary?

16:29:32 2 A. I receive my salary from the Fund, the  
16:29:43 3 National Fund.

16:29:44 4 Q. You get a check from the PNF?

16:29:51 5 A. Yes.

16:29:53 6 Q. Does the PA -- I'm going to call the "PA"  
16:29:58 7 for "Palestine Authority."

16:30:03 8 Does the PA have any role in paying your  
16:30:06 9 salary?

16:30:12 10 A. Yes.

16:30:12 11 Q. What is --

16:30:12 12 THE COURT REPORTER: Counsel, I'm sorry to  
16:30:12 13 interrupt. I just realized something. You all gave  
16:30:12 14 your appearances, and I haven't affirmed the witness.

16:30:12 15 MR. SCHOEN: Aah, okay. I'm sorry.

16:30:28 16 On this end, we have to have the witness  
16:30:31 17 sworn or affirmed.

16:30:47 18 THE COURT REPORTER: And the interpreters.

16:30:47 19 THE WITNESS: I promise to tell the truth,  
16:30:47 20 all the truth.

16:30:47 21 THE COURT REPORTER: I have to swear the  
16:30:47 22 interpreters first.

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ALBERT AGHAZARIAN

-and-

DOV RABINOVITCH,

the Official Arabic Interpreters, were  
duly affirmed to translate from English  
to Arabic and from Arabic to English.

YASSER SHAQBU'A,

called as a witness, being first duly  
affirmed, was examined and testified  
as hereinafter set forth.

Q. BY MR. SCHOEN: And that applies to all  
testimony you've given so far also; correct?

A. Yes. Correct.

Q. Okay. What role does the PA play in the  
paying of your salary?

A. I want here to clarify a certain matter. The  
PNF was established in 1964, and the PA came into being  
in 1993 after the Oslo agreement. The PA, through the  
Ministry of Finance, finances the PNF since 1994.

Q. Okay. And the Ministry -- oh, sorry.

A. And the PNF specialized in funding PLO  
activities outside the Palestinian territories,  
including the offices and the embassies across the

16:33:08 1 world. So the span of life of the PNF is much longer  
16:33:22 2 than the span of life of the PA, essentially. This  
16:33:28 3 is what I needed to clarify.

16:33:31 4 Q. There might have been a translation mistake.  
16:33:35 5 I wrote down when you said the PNF was established  
16:33:42 6 in '94 --

16:33:50 7 CHECK INTERPRETER HAZOU: "'64."

16:33:52 8 MR. SCHOEN: Not a translation mistake.  
16:33:48 9 My mistake.

16:33:49 10 THE WITNESS: 1964.

16:33:57 11 MR. SCHOEN: And the translator said it  
16:34:01 12 correctly at the time, and I wrote it down wrong.

16:34:08 13 Q. BY MR. SCHOEN: Now, Mr. Shaqbu'a, I heard  
16:34:11 14 you say the PNF funds PLO activities outside Palestinian  
16:34:21 15 territories; is that correct?

16:34:33 16 A. Yes.

16:34:34 17 Q. And only those activities that occur outside  
16:34:38 18 the Palestinian territories; correct?

16:34:50 19 MR. McALEER: Objection to form.

16:34:51 20 THE WITNESS: Yes.

16:34:52 21 Q. BY MR. SCHOEN: And by "Palestinian  
16:34:54 22 territories," you're referring to what's known as  
16:34:59 23 the West Bank and the Gaza Strip?

16:35:06 24 A. Yes.

16:35:11 25 Q. The Ministry of Finance that you refer to,



16:35:18 1 is that the PA's Ministry of Finance?

16:35:29 2 A. Yes. The Ministry of Finance, which is  
16:35:31 3 part -- which is under the PA.

16:35:36 4 Q. Is there an agency under the PA that funds  
16:35:41 5 PLO activities inside the Palestinian territories?

16:36:12 6 A. No. Before the establishment of the PA, the  
16:36:16 7 National -- the PNF was the funder of all activities  
16:36:21 8 of the PLO.

16:36:23 9 Q. And after the establishment of the PA, is  
16:36:28 10 there an agency that funds the activities of the PLO  
16:36:38 11 inside the Palestinian territories?

16:36:53 12 A. The activities in the West Bank and the  
16:36:55 13 Gaza Strip is not part of the mandate of the PNF.  
16:37:06 14 And I want to ask here what kind of activities you're  
16:37:10 15 talking about, or functions.

16:37:12 16 Q. I was just using the term you used.

16:37:24 17 Mr. Shaqbu'a, what is your position in the  
16:37:27 18 PNF?

16:37:33 19 A. I am the head of public accounts, the manager.

16:37:41 20 Q. Can you tell me what jobs you have held with  
16:37:43 21 the PNF since you started there in 1989 and when you  
16:37:58 22 held each job?

16:38:17 23 A. For less than three years, two years, some,  
16:38:21 24 I was working within the management of embassies abroad.  
16:38:32 25 After that, I was transferred into the management of

16:38:37 1 public accounts. And, in 1996, I was at the head of  
16:38:53 2 the management, but without carrying the title of  
16:39:02 3 director. I was filling up for the job without having  
16:39:10 4 the title.

16:39:11 5 MR. SCHOEN: "Filling in"?

16:39:13 6 OFFICIAL INTERPRETER AGHAZARIAN: "Filling  
16:39:14 7 in." Yes.

16:39:16 8 THE WITNESS: And, in 2001, I officially  
16:39:25 9 became the director of this department. And I am  
16:39:32 10 still in my post.

16:39:34 11 Q. BY MR. SCHOEN: Do you have a supervisor?

16:39:45 12 A. Yes. The person in charge of me is director  
16:39:49 13 general of the PNF.

16:39:53 14 Q. Is that the top guy in the PNF?

16:40:06 15 A. There is a chairman of the PNF, and he is a  
16:40:10 16 member of the Executive Committee of the PLO.

16:40:15 17 Q. What is the name of the chairman of the PNF?

16:40:23 18 A. His name is Muhammed Zuhdi Nashashibi,  
16:40:28 19 currently.

16:40:30 20 Now?

16:40:34 21 Q. Yes. How long has he been the chairman?

16:40:39 22 A. Since April 1995.

16:40:54 23 Q. And what is the name of the director general  
16:40:57 24 now?

16:40:58 25 A. Ramsey Elias Khoury.

16:41:07 1 Q. How long has he been director general?

16:41:15 2 A. Since 2005, he is director general.

16:41:20 3 Q. Do you know who the director general was  
16:41:22 4 before him?

16:41:30 5 A. Of course. Nazar Abu Hazala, God bless his  
16:41:46 6 soul.

16:41:47 7 OFFICIAL INTERPRETER RABINOVITCH: "The late."

16:41:47 8 Q. BY MR. SCHOEN: When did he start as the  
16:41:51 9 director general, do you know?

16:42:00 10 A. Since 1985.

16:42:02 11 Q. And he is no longer alive; correct?

16:42:07 12 A. Yes.

16:42:08 13 Q. Is the director general of the PNF a member  
16:42:19 14 of a PLO faction?

16:42:24 15 MR. McALEER: Objection. Form.

16:42:33 16 Q. BY MR. SCHOEN: Can I have your answer,  
16:42:36 17 please?

16:42:56 18 A. In the PNF, from top of the pyramid until  
16:43:01 19 the bottom, we don't ask employees what is their  
16:43:07 20 political affinity.

16:43:09 21 Q. I'm asking you if you know whether the  
16:43:13 22 chairman of the PNF is a member of a PLO faction?

16:43:25 23 MR. McALEER: Objection by counsel. Your  
16:43:28 24 prior question related to the director general. This  
16:43:31 25 question just referenced the chairman. And are you

16:43:35 1 asking for -- asking something about Mr. Nashashibi?

16:43:42 2 Q. BY MR. SCHOEN: Do you know what faction of  
16:43:44 3 the PLO, if any, the chairman or the director general  
16:43:48 4 of the PNF belong to?

16:44:00 5 A. The current -- the current director general?

16:44:06 6 Q. Yes.

16:44:12 7 A. The current -- the current director tends to  
16:44:20 8 Fatah. And the chairman, he is not part of any faction.

16:44:27 9 Q. And the chairman sits on the PLO Executive  
16:44:33 10 Committee; correct?

16:44:39 11 A. Yes. To the best of my knowledge, I say he  
16:44:49 12 does not -- the chairman does not belong to any faction,  
16:44:54 13 to the best of my knowledge.

16:44:56 14 Q. Mr. Shaqbu'a, you testified that the PNF funds  
16:45:07 15 PLO activities outside Palestinian territories; correct?

16:45:19 16 A. Yes.

16:45:20 17 Q. And only -- only PLO activities outside the  
16:45:26 18 Palestinian territories; correct?

16:45:29 19 A. Yes.

16:45:31 20 Q. What kind of PLO activities outside the  
16:45:37 21 Palestinian territories?

16:45:50 22 A. To spend -- to spend the money needed in  
16:45:56 23 embassies and offices of the PLO outside Palestine.

16:46:01 24 CHECK INTERPRETER HAZOU: "As well as staff  
16:46:04 25 members."

16:46:05 1 OFFICIAL INTERPRETER AGHAZARIAN: "As well  
16:46:05 2 as the staff members."

16:46:10 3 Q. BY MR. SCHOEN: Would it be fair to say the  
16:46:13 4 PNF funds all PLO activities outside the Palestinian  
16:46:20 5 territories?

16:46:27 6 MR. McALEER: Objection to form.

16:46:28 7 The witness may answer, if he can.

16:46:44 8 THE WITNESS: The PNF -- the PNF traditionally  
16:47:00 9 used to fund all PLO departments and activities. But  
16:47:05 10 after 1994, it was confined to support only activities  
16:47:11 11 outside the Palestinian territories.

16:47:15 12 Q. BY MR. SCHOEN: Yes. And as to the PLO's  
16:47:18 13 activities outside the Palestinian territories, does  
16:47:27 14 the PNF fund all of the PLO's activities outside the  
16:47:34 15 Palestinian territories?

16:47:42 16 A. Yes.

16:47:43 17 Q. And has that been the same since 1994 until  
16:47:47 18 today?

16:48:06 19 A. I hope that every question will be limited  
16:48:10 20 to a given period of time.

16:48:14 21 Q. This question, I'm asking whether it's the  
16:48:17 22 same since 1994?

16:48:38 23 A. Now there are small offices in the West Bank  
16:48:44 24 that are part of the PLO and which is funded by the PNF.  
16:48:52 25 Okay, you have some pockets. And all the meetings of

16:49:03 1 the Executive Committee of the PLO, they all take place  
16:49:08 2 in Ramallah.

16:49:12 3 Q. Are you aware --

16:49:14 4 A. And every member -- every member of the  
16:49:20 5 Executive Committee has a tiny office in Ramallah.

16:49:24 6 Q. Okay. Let me focus just on PLO activities  
16:49:30 7 outside the Palestinian territories.

16:49:35 8 Other than the PNF, are you aware of any  
16:49:40 9 source of funding for PLO activities outside the  
16:49:51 10 Palestinian territories?

16:50:09 11 A. Throughout the period of my work in the PNF,  
16:50:12 12 I know where the sources of funding come from.

16:50:16 13 Q. And I'm asking you for PLO activities outside  
16:50:20 14 the Palestinian territories, are you aware of any source  
16:50:25 15 of funding other than the PNF?

16:50:34 16 (Brief exchange in Arabic between Official  
16:50:34 17 Interpreter Rabinovitch and Check interpreter  
16:50:38 18 Hazou.)

16:50:44 19 THE WITNESS: You may have a certain  
16:50:46 20 misunderstanding. We have said that the PNF finances  
16:51:03 21 the departments and embassies of the PLO. In another  
16:51:09 22 sense, it covers expenses -- it covers -- it pays for  
16:51:14 23 its activities.

16:51:20 24 But are you asking what are the sources of  
16:51:23 25 funding, from where the money comes to the PNF? Is

16:51:27 1 that your question?

16:51:30 2 Q. BY MR. SCHOEN: No. There are PLO offices  
16:51:35 3 and activities that occur outside the Palestinian  
16:51:40 4 territories; correct?

16:51:52 5 A. Activities like what? Of course, it has  
16:51:55 6 offices and embassies.

16:51:58 7 Q. Okay. We're going around in circles.

16:52:02 8 Your testimony was that the PNF funds PLO  
16:52:09 9 activities outside the Palestinian territories, and in  
16:52:17 10 addition to that, at some point more recently, the PNF  
16:52:30 11 also funds certain offices or activities of the PLO in  
16:52:44 12 certain places in the West Bank; correct?

16:52:52 13 MR. McALEER: Object. Objection to form.

16:53:03 14 MR. SCHOEN: We've lost the sound. We've lost  
16:53:04 15 the sound.

16:53:05 16 We have sound now.

16:53:20 17 OFFICIAL INTERPRETER RABINOVITCH: We have  
16:53:20 18 sound.

16:53:20 19 CHECK INTERPRETER ALAYAM: Speak somewhat  
16:53:27 20 slower, because when you speak faster, your voices  
16:53:31 21 aren't clear then.

16:53:34 22 MR. McALEER: While you may or may not be able  
16:53:36 23 to hear me -- can you?

16:53:39 24 MR. SCHOEN: Yes.

16:53:41 25 MR. McALEER: Then I would just take this

16:53:42 1 moment to ask Mr. Shaqbu'a on this end to break up his  
16:53:49 2 answers into smaller pieces so that the translation  
16:53:52 3 might be easier on that end.

16:54:05 4 And, similarly, we would ask on this end that  
16:54:09 5 you all speak a little slower on that end, because you  
16:54:15 6 may think it's fine for that end, but it comes in too  
16:54:20 7 fast on this end.

16:54:36 8 Q. BY MR. SCHOEN: Okay. Let me try it again.

16:54:43 9 You testified earlier that the PNF is  
16:54:56 10 responsible for funding PLO activities outside the  
16:55:06 11 Palestinian territories.

16:55:11 12 Correct so far?

16:55:19 13 A. I want you to clarify for me what activities  
16:55:24 14 are you referring to. I want to tell you, it is paying  
16:55:38 15 salaries for the employees and covering the expenses of  
16:55:42 16 offices and embassies. And these are all expenses that  
16:55:52 17 are well known.

16:56:01 18 Q. Okay. But those --

16:56:01 19 A. And the diplomatic mission expenses, these are  
16:56:05 20 our main areas of activity.

16:56:07 21 Q. Again, I used the word "activities" as it was  
16:56:13 22 translated because you used the word "activities." I  
16:56:24 23 don't know what the PLO's activities are outside the  
16:56:28 24 Palestinian territories. But what --

16:56:40 25 A. This is why I like to clarify.



16:56:44 1 Q. For me, this didn't clarify.

16:56:47 2 But, in any event, whatever those activities  
16:56:50 3 are by the PLO outside the Palestinian territories,  
16:57:11 4 until the PNF started also funding certain offices  
16:57:17 5 of the PLO on the West Bank -- strike that.

16:57:31 6 Is the PNF -- what PLO activities, if any, is  
16:57:38 7 the PNF responsible for funding inside the Palestinian  
16:57:57 8 territories?

16:58:15 9 A. I already --

16:58:15 10 (Comment in Arabic by the witness.)

16:58:16 11 MR. SCHOEN: I'm sorry. I was handed a note  
16:58:18 12 that said two minutes left on the tape.

16:58:21 13 Tell him.

16:58:21 14 (Last colloquy translated.)

16:58:21 15 MR. SCHOEN: Okay. Your last answer was not  
16:58:32 16 translated yet.

16:58:36 17 Go ahead, Albert.

16:58:37 18 OFFICIAL INTERPRETER AGHAZARIAN: "I already  
16:58:45 19 mentioned that every member of the Executive Committee  
16:58:49 20 of the PLO have a small office in Ramallah, and these  
16:58:54 21 are the expenses that we cover as the PNF."

16:58:58 22 Q. BY MR. SCHOEN: And are those the only  
16:59:01 23 expenses inside the Palestinian territories that the  
16:59:07 24 PNF covers of PLO activities?

16:59:08 25 MR. McALEER: Objection. Objection to form.

16:59:16 1 MR. SCHOEN: What was the answer?

16:59:26 2 THE WITNESS: And every office has \$4,000 a  
16:59:29 3 month, which are the expenses of the office each month.

16:59:35 4 MR. SCHOEN: Okay. We have to change the tape  
16:59:37 5 here.

16:59:42 6 (Brief pause in the proceedings.)

17:02:49 7 Q. BY MR. SCHOEN: So the subject is PNF funding  
17:02:58 8 of PLO activities inside the Palestinian territory.

17:03:09 9 You have told us that the PNF pays for the  
17:03:16 10 small office in Ramallah that each member of the PLO  
17:03:24 11 Executive Committee has; is that correct?

17:03:34 12 A. Yes.

17:03:37 13 Q. All right. And then you mentioned something  
17:03:39 14 about 4,000-something -- I don't know the currency --  
17:03:44 15 per month.

17:03:53 16 Explain that again, please.

17:04:01 17 A. \$4,000 every month to each office is paid.

17:04:07 18 Q. All right. So that's -- the office expense  
17:04:09 19 for each office, for each member of the PLO Executive  
17:04:14 20 Committee that the PNF pays is \$4,000 a month; correct?

17:04:32 21 A. Yes.

17:04:33 22 Q. Are there any other PLO activities that you're  
17:04:37 23 aware of inside the Palestinian territories that the PNF  
17:04:50 24 funds?

17:04:54 25 MR. McALEER: Objection to form.

17:04:59 1 Q. BY MR. SCHOEN: You can answer.

17:05:13 2 A. I am familiar and specialize in all the  
17:05:17 3 funds that is paid by the PNF. And, again, I would  
17:05:29 4 like that the question is connected with a given time  
17:05:34 5 span, because the different phases are different timing.

17:05:41 6 Q. Today, besides the \$4,000 office expense that  
17:05:53 7 you described, are there any other PLO activities inside  
17:06:05 8 the Palestinian territories that the PNF funds?

17:06:15 9 A. No, there aren't.

17:06:19 10 Q. Do you know if there are other PLO activities  
17:06:29 11 that take place inside the Palestinian territories  
17:06:35 12 today, other than activities for which the PNF funds?

17:06:50 13 MR. McALEER: Objection to form. Vague and  
17:06:53 14 beyond the scope of designation.

17:07:06 15 Q. BY MR. SCHOEN: I don't want to keep telling  
17:07:08 16 you that you can answer a question because I'm not your  
17:07:13 17 lawyer. But unless you've been directed not to answer,  
17:07:21 18 please answer my question.

17:07:30 19 MR. McALEER: And to speed things along, let  
17:07:32 20 me say to the witness, to be clear, unless I direct him  
17:07:37 21 not to answer, he should proceed to answer a question,  
17:07:42 22 if he can, following any objection I might state for  
17:07:47 23 the record.

17:08:04 24 Q. BY MR. SCHOEN: List for me, if you could,  
17:08:06 25 some PLO activities inside the Palestinian territories

17:08:12 1 today.

17:08:27 2 MR. McALEER: Objection. Form. Vague.

17:08:39 3 THE WITNESS: Do you mean activities that  
17:08:40 4 are funded by the PNF?

17:08:44 5 Q. BY MR. SCHOEN: No. The only activities  
17:08:47 6 funded by the PNF inside the Palestinian territories  
17:08:51 7 is the \$4,000 a month for the little office in Ramallah  
17:08:54 8 for each Executive Committee member; right?

17:09:16 9 A. Yes.

17:09:18 10 Q. Okay. So to the extent there are any PLO  
17:09:22 11 activities inside the Palestinian territories that are  
17:09:33 12 not limited to this \$4,000 a month office payment, are  
17:09:45 13 you aware of any source of funding for PLO activities  
17:09:50 14 inside the Palestinian territories?

17:10:03 15 A. No.

17:10:07 16 Q. Do you believe that the only activities  
17:10:11 17 the PLO engages in in the -- inside the Palestinian  
17:10:18 18 territories is running the -- what you described as  
17:10:21 19 a little office in Ramallah?

17:10:36 20 MR. McALEER: Objection. Misstates testimony.

17:10:44 21 THE WITNESS: If there are amounts that are  
17:10:52 22 paid through the Ministry of Finance, the Palestinian,  
17:10:57 23 of course, this is registered in the records of the  
17:11:05 24 Ministry and it is -- and it is registered as the  
17:11:17 25 expenses of the PA and not the PLO. Because the

17:11:31 1 party assigned to pay the expenses of the PA is the  
17:11:40 2 Palestinian Ministry of Finance.

17:11:42 3 Q. BY MR. SCHOEN: What are the expenses of  
17:11:43 4 the PA?

17:11:49 5 MR. McALEER: Objection. Beyond the scope  
17:11:51 6 of designation.

17:12:04 7 THE WITNESS: The PA -- the PA is the form  
17:12:08 8 of a government, with ministries, health, education,  
17:12:24 9 like any government in the world.

17:12:26 10 Q. BY MR. SCHOEN: Do those agencies have  
17:12:29 11 expenses?

17:12:34 12 MR. McALEER: Standing objection because it's  
17:12:37 13 beyond the scope of designation.

17:12:51 14 THE WITNESS: I don't know anything about the  
17:12:54 15 accounts of any of the Palestinian ministries.

17:12:57 16 Q. BY MR. SCHOEN: So you don't know whether any  
17:12:59 17 of the Palestinian ministries have any expenses?

17:13:17 18 A. Every ministry has its activities and its  
17:13:21 19 expenses. But I have not been exposed to any of its  
17:13:26 20 accounts.

17:13:29 21 Q. Mr. Shaqbu'a, does the PLO have any bank  
17:13:34 22 accounts in its name, "PLO"?

17:13:54 23 A. Inside the Palestinian territories?

17:13:57 24 Q. Anyplace.

17:14:00 25 A. Yes.

17:14:01 1 Q. Where?

17:14:13 2 A. We have not less than one hundred diplomatic  
17:14:18 3 missions across the world.

17:14:20 4 Q. I'm not asking you about diplomatic missions.  
17:14:24 5 I'm asking you where the bank accounts are that the PLO  
17:14:28 6 owns.

17:14:38 7 A. And which -- and is it the ones which is part  
17:14:41 8 of the mandate of the PNF?

17:14:45 9 Q. Name every bank account you can that the PLO  
17:14:48 10 owns, wherever that bank account is.

17:14:57 11 MR. McALEER: Objection. Overbroad. Beyond  
17:14:59 12 the scope.

17:15:04 13 Q. BY MR. SCHOEN: What's your answer?

17:15:10 14 A. The PNF has its own accounts in Amman. And  
17:15:27 15 every representative office or embassy abroad, outside  
17:15:31 16 Jordan, they have their own bank accounts.

17:15:36 17 Q. Where are those embassies outside Jordan?

17:15:48 18 A. I already told you that the representative  
17:15:52 19 offices are around one hundred across the globe.

17:15:56 20 Q. And I already asked you to name what you can.

17:16:09 21 A. In all Arab countries. You have different  
17:16:22 22 levels. It could be an embassy. It could be a  
17:16:26 23 representative office. It could be a mission. It  
17:16:28 24 could be -- you have various levels of representation,  
17:16:48 25 or otherwise.

17:16:50 1 (Court reporter clarification.)

17:16:52 2 Q. BY MR. SCHOEN: Okay. Name every country you  
17:16:55 3 can think of in which the PLO has a bank account.

17:17:09 4 MR. McALEER: Same objection.

17:17:20 5 THE WITNESS: Every representative office has  
17:17:22 6 a bank account based on the country where it is located.  
17:17:32 7 And the PNF transfers funds to it on such a basis.

17:17:38 8 Q. BY MR. SCHOEN: Name the countries where the  
17:17:40 9 bank accounts are that the PLO owns, to the best of your  
17:17:52 10 ability.

17:18:06 11 A. If you want, China, Russia, Japan, UK, France.

17:18:17 12 Q. What else?

17:18:25 13 A. You want me to name all the embassies? Then  
17:18:30 14 I go home.

17:18:31 15 Q. I'm not asking you about embassies. You  
17:18:34 16 used the word "embassies." I'm asking you about bank  
17:18:39 17 accounts. And I don't care if there is an embassy,  
17:18:41 18 a consulate, what level of diplomatic corps. I'm just  
17:19:00 19 asking you to name every country you can in which the  
17:19:05 20 PLO has a bank account.

17:19:20 21 A. There is nothing other than what I have been  
17:19:24 22 mentioning.

17:19:25 23 Q. Now, when the PNF sends money to a PLO bank  
17:19:33 24 account in one of these other countries, what, if any,  
17:19:45 25 measures are in place to know how those funds are spent

17:19:57 1 by that PLO office?

17:20:11 2 A. This is -- this was at the core of the modus  
17:20:17 3 operandi of the PNF. All expenses of these offices,  
17:20:34 4 they return eventually. They are controlled by the  
17:20:37 5 main PNF office in Amman.

17:20:43 6 Q. What controls do you have in the main PNF  
17:20:46 7 office in Amman to determine how all money the PNF  
17:21:01 8 sends to a PLO office, anywhere in the world outside  
17:21:08 9 the Palestinian territories?

17:21:23 10 A. The PNF has its own laws and bylaws and  
17:21:38 11 resolutions that govern and cover all PLO offices,  
17:21:44 12 without exception.

17:21:46 13 Q. Now can I get an answer to my question?

17:21:55 14 MR. McALEER: Objection. Argumentive.

17:21:56 15 (Comment in Arabic by the witness.)

17:22:08 16 MR. SCHOEN: What did he say? He just said  
17:22:25 17 something.

17:22:27 18 (Brief exchange in Arabic among Official  
17:22:27 19 Interpreter Rabinovitch, Official Interpreter  
17:22:27 20 Aghazarian, Check Interpreter Hazou, and the  
17:22:27 21 witness.)

17:22:31 22 THE WITNESS: There are certain violations  
17:22:31 23 in the procedures of expenditures.

17:22:36 24 Q. BY MR. SCHOEN: What, if anything, does the  
17:22:42 25 PNF do to determine how all money that it sends to a



17:22:57 1 PLO office is used by that office after it receives  
17:23:05 2 the money?

17:23:21 3 A. There are a number of diverse types of  
17:23:25 4 violations. The documents could be missing. They  
17:23:34 5 are not backed up properly when they come back to the  
17:23:39 6 PNF, and we refuse accepting it, that there are missing  
17:23:44 7 documents that need to be dispatched.

17:23:48 8 Q. When you send money to a PLO office, do you  
17:23:57 9 know how that PLO office spends the money you send to  
17:24:02 10 it?

17:24:10 11 A. Yes, for sure.

17:24:12 12 Q. Every bit of the money?

17:24:20 13 A. Every cent.

17:24:21 14 Q. And how do you know how every cent is spent  
17:24:27 15 by the PLO office?

17:24:42 16 A. Every PLO office, they send a monthly  
17:24:46 17 statement for all incoming and outgoing expenses, in  
17:24:54 18 addition to the documents that go hand in hand with  
17:24:58 19 these expenses.

17:25:00 20 Q. You mean documents that reflect what the  
17:25:03 21 expense was for?

17:25:04 22 CHECK INTERPRETER HAZOU: No. He said  
17:25:05 23 actually "supporting documents."

17:25:07 24 Q. BY MR. SCHOEN: Documents that support the  
17:25:10 25 expense. So if the PLO office, for example, spends

17:25:14 1 five dollars to buy a case of Coke, they would send  
17:25:30 2 you a report that they spent five dollars on a case  
17:25:34 3 of Coke, and they would send you the receipt that  
17:25:43 4 showed they bought the five-dollar case of Coca Cola?

17:26:05 5 A. This -- on the statement, this would appear  
17:26:10 6 that these are sort of hospitality expenses, and these  
17:26:15 7 are, you know, I mean, like sundry amounts.

17:26:20 8 Q. Okay. So the fact that five dollars was spent  
17:26:23 9 on something would show up on a report you got?

17:26:33 10 A. Yes.

17:26:34 11 Q. But if it's a small amount, it might appear --  
17:26:38 12 a small amount for something like Coca Cola, it might  
17:26:45 13 appear as some general item of expenditure?

17:27:01 14 A. Sundry expenses or hospitality expenses.

17:27:09 15 Q. Okay. And would you get a receipt for each  
17:27:12 16 such expense, even in that amount?

17:27:32 17 A. If it is that petty, you know, it doesn't  
17:27:35 18 feature, because even the person who buys for five  
17:27:39 19 dollars, he does not ask for a receipt.

17:27:42 20 Q. All right. So we can't really say every cent  
17:27:46 21 that's spent by the PLO office is reflected in a report  
17:27:51 22 and a receipt; correct? Supporting documents?

17:28:06 23 Some expenses fall below a minimal level, so  
17:28:15 24 that you wouldn't expect to get a receipt; correct?

17:28:25 25 A. Yes.

17:28:26 1 Q. Do you have -- can you make any statement  
17:28:29 2 as to some general level that draws a line between  
17:28:33 3 the kind you'd expect the receipt for and the kind  
17:28:38 4 you wouldn't?

17:28:58 5 MR. McALEER: Objection to form. Vague.

17:29:12 6 THE WITNESS: Every expense -- every expense  
17:29:22 7 must have a supporting document which is dispatched  
17:29:26 8 to us.

17:29:27 9 Q. BY MR. SCHOEN: Okay. Same system for the  
17:29:30 10 period 1998 to 2002?

17:29:39 11 MR. McALEER: Objection to form. Vague.

17:29:49 12 THE WITNESS: It is the same system we have  
17:29:51 13 been following since 1994.

17:29:55 14 CHECK INTERPRETER HAZOU: No. "'64."

17:29:56 15 OFFICIAL INTERPRETER AGHAZARIAN: "'64." Yes,  
17:29:56 16 '64. Sorry.

17:30:02 17 Q. BY MR. SCHOEN: Does the PLO have any offices  
17:30:06 18 in the West Bank, besides the offices in Ramallah for  
17:30:13 19 the Executive Committee members that you described  
17:30:17 20 earlier?

17:30:27 21 A. No, we don't have.

17:30:30 22 Q. There are no PLO offices in the West Bank,  
17:30:33 23 other than the small Executive Committee members'  
17:30:37 24 offices in Ramallah?

17:30:46 25 A. Yes.

17:30:49 1 Q. Yes, there are no offices?

17:30:58 2 A. We don't have any other offices.

17:31:03 3 Q. When you say "we," are you speaking for the  
17:31:06 4 PNF or the PLO or both?

17:31:23 5 A. I speak only in the name of the PLO.

17:31:30 6 Q. Okay. Describe the PLO to me.

17:31:33 7 Is it a political organization? Is it a  
17:31:36 8 social organization?

17:31:45 9 MR. McALEER: Objection. Beyond the scope  
17:31:47 10 of designation. The witness may answer, if he can.

17:32:03 11 THE WITNESS: It's a political organization.

17:32:06 12 Q. BY MR. SCHOEN: Do they -- does the PLO engage  
17:32:09 13 in any kind of activities in the West Bank? Does it  
17:32:14 14 run any sort of programs for people?

17:32:37 15 A. The Executive Committee of the PLO practices  
17:32:42 16 political activities and takes decisions in all aspects  
17:32:55 17 that affect the Palestinian cause. It is the only party  
17:33:05 18 which is entitled to sign international accords. And  
17:33:17 19 the Palestinian government, which is part of the PA, its  
17:33:30 20 mandate -- its mandate solely covers running -- running  
17:33:37 21 the scene in the West Bank and Gaza Strip. And it did  
17:33:45 22 not -- the PA did not sign any political agreement with  
17:33:50 23 any party whatsoever.

17:33:53 24 Q. Can you name for me any source of funds for  
17:33:57 25 the PLO for what you call or what was translated as

17:34:11 1 "running the show" in the West Bank?

17:34:13 2 MR. HALLER: "Running the scene."

17:34:16 3 Q. BY MR. SCHOEN: "Running the scene in the  
17:34:19 4 West Bank."

17:34:38 5 A. Education, health.

17:34:43 6 Q. Okay. And are there --

17:34:46 7 A. The infrastructure.

17:34:49 8 Q. And that's -- and the PLO needs funds to run  
17:34:53 9 the infrastructure or education or health; correct?

17:35:10 10 A. The PA, and not the PLO, does that.

17:35:19 11 Q. Does the PNF pay any money to PLO accounts  
17:35:23 12 in the West Bank?

17:35:35 13 Let me give you a time frame. From 1994 to  
17:35:42 14 2002, did the PNF pay any money to any PLO bank account  
17:35:55 15 in the West Bank?

17:36:06 16 MR. McALEER: Objection. Beyond the scope.

17:36:13 17 THE WITNESS: No, absolutely not.

17:36:28 18 Q. BY MR. SCHOEN: The Executive Committee  
17:36:30 19 members' offices in Ramallah that you spoke about,  
17:36:39 20 the PNF pays about \$4,000 a month for, you remember  
17:36:51 21 that; right?

17:36:58 22 A. This has been practiced since 2009.

17:37:02 23 Q. Oh. So before 2009, the PNF paid no money  
17:37:08 24 for any PLO activity in the West Bank?

17:37:22 25 MR. McALEER: Objection. Scope.

17:37:31 1 THE WITNESS: Absolutely not. But -- but you  
17:37:40 2 asked me until 2002. That was your question.

17:37:49 3 Q. BY MR. SCHOEN: Before 2009, did the PNF pay  
17:38:02 4 the expenses for the PLO Executive Committee member  
17:38:09 5 offices?

17:38:16 6 A. No.

17:38:21 7 MR. SCHOEN: He said something after that.

17:38:23 8 OFFICIAL INTERPRETER RABINOVITCH: "Absolutely  
17:38:25 9 not."

17:38:28 10 Q. BY MR. SCHOEN: Prior to 2009, did the PNF  
17:38:32 11 pay any expense -- strike the word "expense."

17:38:42 12 Prior to 2009 -- prior to 2009, did the PNF  
17:38:53 13 pay any money to the PLO in connection with any PLO  
17:39:05 14 activity inside the Palestinian territories?

17:39:20 15 A. Before 2009, all the expenses for these  
17:39:26 16 offices were covered by the Finance Ministry --

17:39:30 17 Q. By the --

17:39:33 18 A. -- and not through the PNF.

17:39:37 19 Q. The PA's Finance Ministry paid all expenses  
17:39:40 20 of the PLO inside the West Bank prior to 2009?

17:39:54 21 A. Yes.

17:39:56 22 Q. The PA's -- that was a confusing question,  
17:40:00 23 maybe.

17:40:01 24 The PA's Finance Ministry paid for all PLO  
17:40:11 25 activities, all PLO expenses, inside the West Bank

17:40:23 1 prior to 2009; correct?

17:40:28 2 MR. McALEER: Objection. Beyond the scope.

17:40:32 3 Q. BY MR. SCHOEN: Is that right?

17:40:34 4 A. Yes. Yes.

17:40:39 5 Q. Is your answer the same with respect to PLO  
17:40:42 6 activities or expenses in the Gaza Strip prior to 2009?

17:40:56 7 MR. McALEER: Same objection.

17:41:07 8 THE WITNESS: There isn't any office in Gaza  
17:41:10 9 which represents the PLO.

17:41:12 10 Q. BY MR. SCHOEN: Okay. So does the PA pay  
17:41:16 11 any money to any office operating in Gaza or for any  
17:41:19 12 activity in Gaza that you're aware of?

17:41:31 13 MR. McALEER: Same objection.

17:41:33 14 THE WITNESS: Absolutely not.

17:41:34 15 Q. BY MR. SCHOEN: Okay. Does the -- if you  
17:41:39 16 know, today, does the PNF pay any money to Mr. Abdel  
17:41:50 17 Rahim Malouh?

17:41:51 18 A. Absolutely not.

17:42:02 19 Q. Does the PNF pay Mr. Malouh any salary?

17:42:14 20 A. No.

17:42:15 21 Q. Are you aware that Mr. Malouh is a member of  
17:42:19 22 the PLO Executive Committee?

17:42:31 23 A. To the best of my knowledge, not actually now.  
17:42:43 24 Currently, the Executive Committee members do not touch  
17:42:47 25 any salaries from the PNF.

17:42:51 1 MR. SCHOEN: They do not get any salaries?

17:42:54 2 OFFICIAL INTERPRETER AGHAZARIAN: Yes.

17:42:55 3 THE WITNESS: Including the chairman of the  
17:42:57 4 PNF.

17:42:57 5 Q. BY MR. SCHOEN: Was there ever a time when  
17:43:01 6 PLO Executive Committee members received money, by way  
17:43:06 7 of salary, from the PNF?

17:43:20 8 A. Yes, but not Abdel Rahim Malouh. He was the  
17:43:33 9 only member -- the only person that received is the late  
17:43:43 10 Tawfik Ahud in Beirut. He was the only one who was  
17:43:49 11 receiving a salary from the PNF.

17:43:52 12 Q. Only one PLO Executive Committee member ever  
17:43:56 13 received a salary from the PNF?

17:44:05 14 A. Yes.

17:44:06 15 Q. Has the PNF at any time paid the expense for  
17:44:12 16 Mr. Malouh's home?

17:44:14 17 A. Yes. In the accounts I have seen that we  
17:44:40 18 paid expenses for electricity and water and what have  
17:44:46 19 you, and when he was in Amman.

17:44:48 20 Q. That's the only expense of Mr. Malouh that  
17:44:53 21 you believe the PNF has ever paid?

17:45:03 22 A. Yes, and only. And this is certain  
17:45:09 23 information.

17:45:10 24 Q. Do you know where Mr. Malouh lives now?

17:45:15 25 A. No, I don't know.



17:45:20 1 Q. But what you do know is that now the PNF does  
17:45:29 2 not pay any money for the -- for any expenses associated  
17:45:37 3 with Mr. Malouh's home?

17:45:45 4 A. Now we are not paying.

17:45:48 5 Q. And you believe the only time the PNF ever  
17:45:52 6 paid any such expenses was when Mr. Malouh was living  
17:45:57 7 in Amman, Jordan; correct?

17:46:08 8 MR. McALEER: Objection. Beyond the scope.

17:46:12 9 THE WITNESS: Yes. Yes, when he was in Amman.

17:46:20 10 What do you mean by "the only time"?

17:46:23 11 Q. BY MR. SCHOEN: I thought your testimony was  
17:46:25 12 the only time the PNF paid any expense for Mr. Malouh  
17:46:30 13 was when he was living in Amman; right?

17:46:46 14 MR. McALEER: Objection. Misstates the  
17:46:48 15 testimony.

17:46:57 16 THE WITNESS: I don't know what this -- the  
17:47:01 17 period when he stayed in Amman. It could be a year.  
17:47:05 18 It could be months. I have no idea. We might have  
17:47:13 19 paid, you know, five, six times, his telephone bills,  
17:47:18 20 what have you.

17:47:19 21 Q. BY MR. SCHOEN: Didn't you testify earlier  
17:47:21 22 that the only time you were aware of that the PNF paid  
17:47:35 23 any expenses for Mr. Malouh was when Mr. Malouh was  
17:47:43 24 living in Amman?

17:47:47 25 A. Yes. Because such expenses that the PNF came

17:48:01 1 to cover has to do with a house.

17:48:06 2 Q. Okay. Are you aware of the PNF ever paying  
17:48:09 3 any money for expenses associated with Mr. Malouh's  
17:48:22 4 car or driver?

17:48:31 5 MR. McALEER: Objection. Beyond the scope.

17:48:36 6 THE WITNESS: I don't know.

17:48:43 7 CHECK INTERPRETER HAZOU: Not -- no.

17:48:44 8 "Absolutely."

17:48:45 9 OFFICIAL INTERPRETER AGHAZARIAN: "Absolutely  
17:48:47 10 not."

17:48:47 11 THE WITNESS: Absolutely not. I only mention  
17:48:54 12 the expenses of the home.

17:48:56 13 Q. BY MR. SCHOEN: Right. The PNF has never paid  
17:48:59 14 any expenses associated with Mr. Malouh's car or driver;  
17:49:04 15 correct?

17:49:16 16 A. Correct. It is not the PNF that paid these  
17:49:22 17 expenses.

17:49:23 18 Q. Do you know who paid the expenses?

17:49:29 19 MR. McALEER: Objection. Beyond the scope.

17:49:31 20 THE WITNESS: I don't know.

17:49:32 21 Q. BY MR. SCHOEN: Okay. Is it accurate, sir,  
17:49:53 22 that all income the PNF receives comes from the PA?

17:50:12 23 A. After 1994, yes.

17:50:15 24 Q. From 1994 through today, the only source of  
17:50:19 25 income for the PNF is the PA; correct?

17:50:35 1 A. (Translated.) Yes.

17:50:41 2 (In English.) The main source. "Main."

17:50:48 3 OFFICIAL INTERPRETER AGHAZARIAN: "The main

17:50:49 4 source."

17:50:49 5 Q. BY MR. SCHOEN: What other sources of income

17:50:51 6 does the PNF have, besides the PA?

17:51:11 7 A. I said it is very scarce, and it could

17:51:14 8 be coming from some of the host countries where

17:51:22 9 representative offices are.

17:51:24 10 Q. What is very scarce? Funding other than --

17:51:29 11 funding of the PNF other than from the PA?

17:51:43 12 A. I haven't heard properly.

17:51:46 13 Q. What source of funding, what source of income

17:51:53 14 does the PNF have other than the PA?

17:52:07 15 A. I already answered this question. There might

17:52:12 16 be donations, contributions from a given country.

17:52:17 17 Q. What country can you recall that gave

17:52:21 18 donations to the PNF, and when?

17:52:33 19 MR. McALEER: Objection. Beyond the scope

17:52:35 20 of the category.

17:52:39 21 THE WITNESS: Indonesia. Spain.

17:52:48 22 CHECK INTERPRETER HAZOU: "Up to now," he

17:52:50 23 said.

17:52:52 24 OFFICIAL INTERPRETER AGHAZARIAN: "Up to now."

17:52:53 25 THE WITNESS: They are small expenses in order

17:52:57 1 to cover the expenses of the representative offices.

17:53:03 2 Even Angola has given something.

17:53:06 3 Q. BY MR. SCHOEN: So Indonesia, Spain, and  
17:53:10 4 Angola?

17:53:19 5 A. This is for example, as an example.

17:53:26 6 Q. I'm asking you --

17:53:28 7 A. These are donations in order to cover the  
17:53:31 8 expenses of the representatives. Yes.

17:53:34 9 Q. Please name every country that you believe  
17:53:37 10 has provided income to the PNF, besides the PA.

17:53:47 11 MR. McALEER: Objection. Beyond the scope  
17:53:49 12 of category and designation.

17:53:56 13 Q. BY MR. SCHOEN: Your answer, please?

17:53:59 14 A. For instance, Oman. Oman covers the salaries  
17:54:13 15 of the diplomatic corps which is there.

17:54:18 16 Q. I'm not asking you for examples. I'm asking  
17:54:23 17 you to name the countries you can recall that provide  
17:54:29 18 the source of funds for the PNF.

17:54:40 19 MR. McALEER: Same objection.

17:54:42 20 THE WITNESS: This is what comes into my mind  
17:54:45 21 now.

17:54:46 22 Q. BY MR. SCHOEN: Do you know what the sources  
17:54:48 23 of income are for the PLO?

17:55:02 24 A. I hope you -- you clarify which period you  
17:55:05 25 are referring to.

17:55:08 1 Q. How about the period 1998 through 2002?

17:55:19 2 MR. McALEER: Objection. Beyond the scope  
17:55:20 3 of category and designation.

17:55:26 4 THE WITNESS: Only the Palestinian Ministry  
17:55:28 5 of Finance.

17:55:30 6 Q. BY MR. SCHOEN: The PA's Ministry of Finance  
17:55:33 7 was the only source of funding or income for the PLO  
17:55:47 8 between 1998 and 2002?

17:56:01 9 A. Yes. And I present -- and as we said, that  
17:56:10 10 it is the main source, and even if we say otherwise,  
17:56:14 11 from outside the Authority.

17:56:17 12 Q. I don't have any idea what you just said.

17:56:21 13 Is the -- between the years 1998 and 2002,  
17:56:31 14 was the PA's Ministry of Finance the exclusive source  
17:56:38 15 for income to the PLO?

17:56:48 16 MR. McALEER: Same objection.

17:56:54 17 THE WITNESS: The main source. It was the  
17:56:56 18 main source.

17:56:57 19 Q. BY MR. SCHOEN: What other sources were there,  
17:56:59 20 if you know?

17:57:07 21 A. I mentioned that this, like a minimum support  
17:57:12 22 from certain countries, basically in terms of covering  
17:57:16 23 the expenses of representative offices.

17:57:20 24 Q. And that's it?

17:57:26 25 A. This is why I cannot state that it is the only

17:57:30 1 source of funding.

17:57:31 2 Q. Okay. You mentioned this donation business  
17:57:35 3 from other countries when I asked you about the source  
17:57:38 4 of income for the PNF. So the same answer applies for  
17:57:54 5 any part of the PLO; correct?

17:58:01 6 MR. McALEER: Same objection. And objection  
17:58:03 7 to form.

17:58:20 8 THE WITNESS: The Palestinian Ministry of  
17:58:22 9 Finance is the main source of funding for the PNF.

17:58:26 10 Q. BY MR. SCHOEN: And for the PLO?

17:58:31 11 MR. McALEER: Same objections.

17:58:35 12 THE WITNESS: Yes.

17:58:39 13 Q. BY MR. SCHOEN: Okay. And when you say  
17:58:41 14 "main source," other than the small amount of funds,  
17:58:47 15 as you -- as you described it, from these other  
17:58:52 16 countries, is there any other source of income for  
17:58:58 17 either the PNF or the PLO?

17:59:10 18 MR. McALEER: Same objection.

17:59:12 19 THE WITNESS: There isn't. There isn't.

17:59:14 20 Q. BY MR. SCHOEN: Of the money that the PA  
17:59:31 21 gives annually -- and you want a time frame, so let's  
17:59:39 22 talk about 1998 to 2002 -- the money that the PA gives  
17:59:55 23 to the PNF and the PLO, do you have an idea of what  
18:00:04 24 percentage goes to the PNF and what percentage goes  
18:00:08 25 to the PLO?

18:00:18 1 MR. McALEER: Same objections.

18:00:20 2 THE WITNESS: (In English.) He translate it  
18:00:26 3 wrong.

18:00:27 4 MR. SCHOEN: What did he say, Albert?

18:00:29 5 OFFICIAL INTERPRETER AGHAZARIAN: That I  
18:00:29 6 translate it wrong.

18:00:39 7 THE WITNESS: I know the amounts that are  
18:00:42 8 transferred from the Ministry of Finance to the PNF.  
18:00:45 9 But I don't know all the funds that constitute the  
18:00:51 10 money within the PNF.

18:00:54 11 CHECK INTERPRETER HAZOU: No. "But I do  
18:00:56 12 not know the amount of revenues that the Ministry  
18:01:00 13 of Finance has."

18:01:01 14 THE WITNESS: (In English.) Correct.

18:01:11 15 Q. BY MR. SCHOEN: Now, I didn't ask you any  
18:01:13 16 questions about the Ministry of Finance's revenues.

18:01:20 17 The PA Ministry of Finance is the exclusive  
18:01:27 18 source, other than the small donations from other  
18:01:33 19 countries -- the PA's Ministry -- the PA's Ministry  
18:01:38 20 of Finance is the exclusive source of income for both  
18:01:46 21 the PNF and the PLO.

18:01:56 22 Of the money each -- of the money each year  
18:02:02 23 that the PA Ministry of Finance sends to the PNF and  
18:02:11 24 PLO, for the period 1998 to 2002, do you know, of  
18:02:23 25 that money, what percentage goes to the PNF and what

18:02:27 1 percentage goes to the PLO, other than the PNF?

18:02:48 2 MR. McALEER: Same objection.

18:02:53 3 THE WITNESS: The PNF specifies, on a monthly  
18:03:06 4 basis, the requirements of the PA, the financial needs  
18:03:14 5 of the PA. And the Ministry of Finance transfers,  
18:03:30 6 based on the records of the -- about the period you  
18:03:44 7 are referring to, from '98 until 2002, the PNF used  
18:03:54 8 to dispatch monthly statements to the Ministry of  
18:03:58 9 Finance. And based on this, the Ministry of Finance  
18:04:12 10 used to transfer the funds according to the statements  
18:04:16 11 to the given representative offices directly.

18:04:20 12 Q. BY MR. SCHOEN: Mr. Shaqbu'a, let me ask you  
18:04:23 13 a question. This isn't answering my question, so let  
18:04:27 14 me try another one. In the year 2000 --

18:04:34 15 MR. McALEER: Objection. Interrupting --  
18:04:35 16 interrupting the witness' answer.

18:04:37 17 But go ahead, Counsel.

18:04:40 18 Q. BY MR. SCHOEN: All I said is: In the year  
18:04:43 19 2000, did the PNF receive money from the PA?

18:04:57 20 A. Yes.

18:04:57 21 Q. How much money did the PNF receive in the  
18:05:03 22 year 2000 from the PA?

18:05:11 23 MR. McALEER: Objection. Beyond the scope  
18:05:13 24 of category and designation.

18:05:19 25 THE WITNESS: I have a statement here. For



18:05:29 1 all the amounts that have been transferred from the  
18:05:33 2 Ministry of Finance to the PNF headquarters in Amman,  
18:05:43 3 if you want that I give you an idea about the transfers  
18:05:48 4 that occurred in '98 to 2002, I have it.

18:05:54 5 Q. BY MR. SCHOEN: What are you looking at,  
18:05:55 6 Mr. Shaqbu'a? What's the paper in your hand?

18:06:07 7 A. I told you: This is the list of the amounts  
18:06:10 8 that have been transferred from the Ministry of Finance  
18:06:14 9 to the PNF.

18:06:16 10 Q. All right. You're referring to a two-page  
18:06:19 11 document that you're holding to answer this question?

18:06:21 12 (Comment in Arabic by the witness.)

18:06:21 13 Q. BY MR. SCHOEN: Are you referring to this  
18:06:37 14 document? What are you looking at, Mr. Shaqbu'a?

18:06:53 15 A. If you ask me about the amounts that have  
18:06:57 16 been incoming from the Ministry of Finance, I have  
18:07:01 17 the list in front of me.

18:07:02 18 Q. I'm just asking you -- that's what I was  
18:07:05 19 asking you. What is that paper that you're holding?

18:07:21 20 A. This is a paper that lists every amount  
18:07:24 21 that has been incoming to the PNF from the Ministry  
18:07:28 22 of Finance, year by year.

18:07:30 23 Q. Okay. And to answer that question, you would  
18:07:32 24 like to refer to that list; correct?

18:07:42 25 A. Yes.

18:07:43 1 MR. SCHOEN: Okay. I'd like that list to be  
18:07:45 2 marked as Exhibit A to Mr. Shaqbu'a's deposition.

18:07:57 3 Q. BY MR. SCHOEN: Is that a two-page document?

18:08:07 4 A. It is only a statement. It's a one-page  
18:08:14 5 statement.

18:08:15 6 Q. Why are there two pages there? Is it the same  
18:08:18 7 thing on both pages?

18:08:23 8 A. No. This is a different matter.

18:08:26 9 MR. SCHOEN: Okay. I'd like the two pages to  
18:08:28 10 be marked as Exhibit A so we can move forward here.

18:08:33 11 Q. BY MR. SCHOEN: And let me ask you my  
18:08:40 12 question. It doesn't matter to me if you want to  
18:08:47 13 refer to the list or if you know the answer without  
18:08:51 14 looking at the list. Let me just ask you my question.

18:08:57 15 In the year 2000, how much money did the PNF  
18:09:03 16 receive from the PA? About \$18 million?

18:09:22 17 MR. McALEER: Same objections.

18:09:36 18 THE WITNESS: The amounts that have been  
18:09:38 19 transferred to the PNF from the Ministry of Finance  
18:09:42 20 in the year 2000 is --

18:09:47 21 Q. BY MR. SCHOEN: Yes?

18:09:48 22 A. -- \$8,044,673 [sic].

18:09:59 23 Q. Mr. Shaqbu'a, do you remember testifying  
18:10:02 24 in another case on a previous occasion, ever?

18:10:15 25 A. What topic? It was a different matter?

Q. Do you remember in a different case, some lawyers from America took your deposition testimony?

A. Yes, I do remember.

Q. Okay. Anyway, give me your testimony now.

For the year 2000, the PNF receives from the PA that figure that you just gave me; correct?

A. This is what entered into the accounts of the PNF in the Arab Bank in Amman.

Q. I'm asking you -- I don't care where the bank is or anything else about it. I'm.

Asking you, if you can answer me, how much money the PA Ministry of Finance sent to the PNF and the PNF received for the year 2000?

MR. McALEER: Objection to scope, category, and designation.

Q. BY MR. SCHOEN: And if you can't answer it, just tell me that.

A. (In English.) Okay. Okay.

(Translated.) This is what has entered into the accounts of the PNF in Amman.

Q. Is there another PNF account besides the account in Amman?

A. Okay. All the amounts that are directly transferred to the representative offices abroad are included later in the bank account of the PNF.

18:12:48 1 Q. I don't care when they're included. I'm  
18:12:51 2 asking you whether you can answer the question: How  
18:12:59 3 much money the PNF, in total, wherever its accounts  
18:13:08 4 are located, received in the year 2000 from the PA?

18:13:19 5 MR. McALEER: Objection as to scope of  
18:13:25 6 category and designation.

18:13:31 7 THE WITNESS: I don't have this with me right  
18:13:33 8 now.

18:13:34 9 Q. BY MR. SCHOEN: Do you know the amount?

18:13:38 10 MR. McALEER: Same objection.

18:13:44 11 THE WITNESS: What's the question? I haven't  
18:13:46 12 heard it.

18:13:47 13 Q. BY MR. SCHOEN: In the year 2000, do you know  
18:13:50 14 how much money the PLO received from the PA?

18:13:53 15 MR. McALEER: Objection to the --

18:13:53 16 (Court reporter clarification.)

18:13:53 17 MR. SCHOEN: My question was --

18:13:53 18 MR. McALEER: Objection as to -- hold on.

18:14:15 19 Amy, I'm happy to talk whenever Mr. Schoen's  
18:14:19 20 finished, so I'll pause for the moment.

18:14:21 21 Q. BY MR. SCHOEN: My question is, do you,  
18:14:24 22 Mr. Shaqbu'a, know, as you sit here today, how much  
18:14:27 23 money the PLO received in the year 2000 from the PA?

18:14:45 24 MR. McALEER: Objection as to scope of  
18:14:47 25 category and designation.

18:14:51 1 THE WITNESS: Yes, but when I refer to my  
18:14:55 2 lists, records.

18:14:56 3 Q. BY MR. SCHOEN: Okay. So refer to your lists  
18:14:59 4 or records, please.

18:15:03 5 CHECK INTERPRETER ALAYAM: It's cutting up.

18:15:07 6 MR. McALEER: We couldn't hear that. The  
18:15:10 7 reception was cutting up.

18:15:12 8 Q. BY MR. SCHOEN: Please refer to your lists  
18:15:16 9 or records, then.

18:15:31 10 A. When? Now?

18:15:33 11 Q. Yeah, right now.

18:15:36 12 MR. McALEER: Hey, Counsel, you know, I don't  
18:15:39 13 really think that that kind of attitude is appropriate  
18:15:42 14 in a deposition. If you need to take a break in order  
18:15:46 15 to calm down and be able to ask a question in a proper  
18:15:50 16 tone, please do so. Maybe it's a good time for a break.

18:15:54 17 MR. SCHOEN: Mr. McAleer, talk to your kids  
18:15:56 18 that way, if you like. Don't talk to me that way.

18:15:59 19 MR. McALEER: All right --

18:16:01 20 MR. SCHOEN: Get the witness to answer a  
18:16:03 21 question. Then we won't have to pull teeth. I'm not  
18:16:04 22 a dentist.

18:16:05 23 MR. HIBEY: Wait a minute. Excuse me.  
18:16:06 24 Excuse me. I think we can all calm down for a minute.

18:16:10 25 When he said he would have to consult his

18:16:14 1 lists and records, it's not clear to me on this record  
18:16:18 2 that it's the list we just had marked.

18:16:21 3 MR. SCHOEN: Could be. Could be.

18:16:23 4 MR. HIBEY: And, therefore, he did not --  
18:16:26 5 it appeared to me he did not then consult the marked  
18:16:30 6 document.

18:16:31 7 MR. SCHOEN: I agree. He certainly did not  
18:16:34 8 then consult the marked document.

18:16:37 9 MR. HIBEY: So I don't know that you guys are  
18:16:39 10 talking about the same list and records. All right?

18:16:42 11 Q. BY MR. SCHOEN: Mr. Shaqbu'a, where would  
18:16:44 12 you have the information about how much income the PLO  
18:16:50 13 received from the PA for the year 2000?

18:17:03 14 A. I said it's in my office, only.

18:17:07 15 Q. Okay. And would that answer be the same to  
18:17:12 16 that question for the years 2001, 2002, and any other  
18:17:19 17 year?

18:17:24 18 A. Yes.

18:17:26 19 Q. Okay. And if you know, as you sit here today,  
18:17:32 20 for the year 2000 or any other year you're more familiar  
18:17:37 21 with, is the amount of money that the PNF receives from  
18:17:45 22 the PA the same -- let me strike the question.

18:18:02 23 For the year 2000 or any other year that  
18:18:06 24 you're more familiar with --

18:18:15 25 A. When is that, now?

18:18:17 1 Q. The year 2000, or any other year you would  
18:18:20 2 like to tell me about, does the PLO receive money from  
18:18:24 3 the PA, in addition to money that the PNF receives from  
18:18:32 4 the PA?

18:18:40 5 A. The PNF, we don't receive any funds other than  
18:18:56 6 the PA, except some meager donations that I had already  
18:19:05 7 mentioned about.

18:19:06 8 Q. Okay. Is the PNF part of the PLO?

18:19:14 9 A. Yes.

18:19:15 10 Q. In the year 2000, or any other year you'd like  
18:19:19 11 to tell me about, the PLO receives some amount of money  
18:19:29 12 from the PA; correct?

18:19:34 13 A. Yes.

18:19:35 14 Q. Did all of -- did all of the money that the  
18:19:38 15 PLO received from the PA go to the PNF?

18:20:04 16 A. It is preferred, if it is dispatched to the  
18:20:09 17 representative offices, they send us back the supporting  
18:20:13 18 documents. And there are certain amounts that are  
18:20:19 19 directly transferred to the fund in Amman.

18:20:23 20 Q. Okay.

18:20:30 21 A. The statement I have in front of me has to  
18:20:34 22 do with the amounts that have been transferred from the  
18:20:38 23 PA to the PNF in Amman directly.

18:20:44 24 Q. Again, I don't care if you refer to any lists  
18:20:47 25 or if you answer my question without a list.

18:20:50 1 Let me try it again.

18:20:56 2 In the year 2000, and in other years that  
18:21:01 3 you're familiar with, the PLO has received a sum of  
18:21:08 4 money from the PA; correct?

18:21:21 5 A. Yes. In all the years, the PNF has been  
18:21:26 6 receiving funds from the PA.

18:21:29 7 Q. I didn't ask you about the PNF. I asked you  
18:21:33 8 PLO. So let me try it again.

18:21:41 9 In the year 2000 or any other year -- and if  
18:21:45 10 you can answer my question with "yes" or "no," please  
18:21:51 11 do.

18:21:52 12 A. Yes, yes, yes.

18:21:55 13 Q. In the year 2000 -- I haven't finished my  
18:21:57 14 question. I haven't finished my question.

18:21:59 15 In the year 2000, and any other year that  
18:22:02 16 you're familiar with, did the PLO receive a sum of money  
18:22:09 17 for the year 2000, or any such other year, from the PA?

18:22:18 18 A. Yes.

18:22:19 19 Q. And of the money that the P --

18:22:21 20 A. The PNF and the PLO offices did receive funds.

18:22:36 21 Q. I'm not asking you about the PNF. Please  
18:22:40 22 listen to my question. And if you can answer "yes" or  
18:22:43 23 "no," please answer it with a "yes" or "no."

18:22:55 24 A. I said the PNF and the PLO offices,  
18:22:59 25 representative offices across the globe.



Q. Good. Now please listen to my question and answer it.

In the year 2000, did the PLO receive a sum of money from the PA?

A. Yes.

Q. Of the money that the PLO received from the PA, did all of that money go to the PNF?

A. No.

Q. Okay.

A. There are certain amounts that were transferred to the representative offices. And there are amounts that were transferred to the PNF.

Q. Is there money that the PLO gets from the PA each year that does not go to the PNF, that the PLO can use for some purpose other than to pay to the PNF?

MR. McALEER: Objection as to form.

THE WITNESS: No. All the amounts that are transferred to the offices of the PLO are registered in the records of the fund, PNF.

Q. BY MR. SCHOEN: And can the PLO use money that the PA sends to the PLO for any purpose other than a PNF purpose?

A. By the way, we are having disruptions.

Q. Yes.

A. Okay. The amounts that are transferred to

18:25:49 1 the representative offices are done based on the request  
18:25:53 2 of the PNF.

18:25:56 3 Q. And nothing else, only the request of the PNF?

18:26:12 4 A. Except by -- they are transferred directly  
18:26:16 5 only through the request of the PNF. Otherwise, it  
18:26:24 6 would come directly into the records of the PNF.

18:26:30 7 Q. Is there some money from the PA that goes  
18:26:34 8 directly into the records of the PLO and not into the  
18:26:37 9 records of the PNF?

18:26:47 10 A. Yes.

18:26:49 11 Q. Does the PNF determine the use of all money  
18:26:53 12 that the PA sends to the PLO?

18:27:10 13 A. Yes. This is the basis of its functioning.

18:27:16 14 Q. The PNF gets to determine how any money that's  
18:27:20 15 sent by the PA to the PLO is used?

18:27:31 16 A. Yes.

18:27:32 17 Q. What steps did you take, if any, to prepare  
18:27:35 18 to testify today?

18:27:54 19 A. I received the names of two institutions  
18:27:58 20 and nine persons, and I checked the records of the PNF  
18:28:08 21 on any -- about financial payments -- about financial  
18:28:22 22 payments carried out to these two institutions and  
18:28:26 23 these nine individuals.

18:28:28 24 Q. What were the two institutions?

18:28:42 25 A. Al-Hadaf institution and the Union of

18:28:45 1 Palestinian Women.

18:28:46 2 Q. Were you asked about the PFLP?

18:28:54 3 A. (Translated.) And the PFLP, yes.

18:29:00 4 (In English.) Okay.

18:29:01 5 Q. Any other institutions?

18:29:06 6 A. The rest are the names of individual persons.

18:29:10 7 Q. And what are those people's names?

18:29:14 8 A. Abdel Rahim Malouh. Ahmed Sa'adat. Abu  
18:29:26 9 Ali Mustafa. This is among the names I know. The  
18:29:33 10 other names I had not heard about before.

18:29:37 11 Q. What were the other names?

18:29:42 12 A. I have it in front of me.

18:29:44 13 Q. Okay. Please look at what you have in front  
18:29:47 14 of you, then.

18:29:51 15 MR. McALEER: No.

18:29:52 16 MR. SCHOEN: Whose hand is that, grabbing the  
18:29:54 17 document?

18:29:55 18 MR. McALEER: Mr. Schoen -- Mr. Schoen, the  
18:29:59 19 fact of the matter is, the document that -- it was my  
18:30:03 20 hand -- that I put my hand on was not the document to  
18:30:07 21 which the witness was referring.

18:30:09 22 MR. SCHOEN: How do you know?

18:30:11 23 MR. McALEER: Mr. Schoen, the fact is that  
18:30:14 24 this isn't a memory test. The witness has with him  
18:30:19 25 an attorney/client communication. If he pulls that

18:30:26 1 out right now, you're going to ask that it be marked  
18:30:31 2 on the -- as an exhibit.

18:30:37 3 MR. SCHOEN: I'm still going to ask that it  
18:30:40 4 be marked as an exhibit.

18:30:42 5 MR. McALEER: This isn't a memory test for  
18:30:44 6 the witness.

18:30:45 7 MR. SCHOEN: Whatever it is the witness said  
18:30:46 8 he had in front of him that would answer that question,  
18:30:48 9 I am going to be asking to have marked as an exhibit.  
18:30:52 10 And I'd appreciate it if you not grab a document,  
18:30:56 11 please.

18:31:01 12 MR. McALEER: Mr. Schoen, that is not an  
18:31:03 13 accurate description.

18:31:04 14 Let me ask the witness: Is the document  
18:31:08 15 that -- to which the witness is referring a document  
18:31:12 16 that is in the black bag in front of him?

18:31:22 17 You may answer.

18:31:27 18 THE WITNESS: Yes.

18:31:28 19 MR. SCHOEN: Okay. So take out that document.

18:31:31 20 MR. McALEER: Let me finish. Let me finish,  
18:31:33 21 Mr. Schoen.

18:31:35 22 Is the document that is in the black bag  
18:31:39 23 in front of you a document that you received from the  
18:31:45 24 attorneys for the PLO, containing a certain request?

18:31:57 25 MR. SCHOEN: What's the answer? He answered?

18:32:05 1 THE WITNESS: What I have, it is jotted with  
18:32:08 2 my own handwriting.

18:32:10 3 MR. SCHOEN: Okay.

18:32:12 4 MR. McALEER: So the document has -- has both  
18:32:14 5 your handwriting on it, but the document without that,  
18:32:19 6 without the handwriting, or the non-handwriting portion,  
18:32:24 7 sir, is a document that you received from counsel for  
18:32:26 8 the PLO, making a request for a search?

18:32:30 9 MR. SCHOEN: Objection. And his answer was  
18:32:31 10 "no"?

18:32:32 11 Right, Albert? What's the answer? When he  
18:32:34 12 has an answer, you have to translate.

18:32:37 13 Q. BY MR. SCHOEN: What was your answer?

18:32:40 14 A. I looked for special names on my records.

18:32:50 15 Q. Yeah. What were the names? What were the  
18:32:53 16 names?

18:32:54 17 A. (Translated.) I mentioned names. Even George  
18:33:02 18 Habash was there, and Ahmad Ulma.

18:33:16 19 (In English.) I don't remember now exactly  
18:33:18 20 what the names are.

18:33:21 21 Q. Okay. Is there something that would help you  
18:33:24 22 remember those names?

18:33:37 23 A. (In English.) Now? No.

18:33:40 24 MR. McALEER: Mr. Schoen, I believe the  
18:33:42 25 witness is referring to a document that is in his

18:33:44 1 black bag here.

18:33:46 2 MR. SCHOEN: Really? Is --

18:33:47 3 MR. McALEER: If you would permit me -- if  
18:33:49 4 you would permit me -- without accusing me of grabbing  
18:33:52 5 documents, if you would permit me to allow the witness  
18:33:56 6 to take it out of the bag and let me look at it to be  
18:34:00 7 able to identify the document --

18:34:02 8 MR. SCHOEN: I just asked --

18:34:02 9 MR. McALEER: -- to the witness so as to  
18:34:02 10 assess any privilege protection pertaining to it.

18:34:07 11 MR. SCHOEN: I just asked the witness whether  
18:34:10 12 there was anything that would help him recall those  
18:34:12 13 names, and he said: "Now? No."

18:34:14 14 MR. McALEER: And I believe the witness is  
18:34:17 15 referring to the document in his black bag.

18:34:19 16 MR. SCHOEN: As what? "No"? How is he  
18:34:23 17 referring to a document when he says "no"?

18:34:26 18 MR. McALEER: Counsel --

18:34:27 19 MR. HIBEY: Excuse me. Excuse me. I think  
18:34:28 20 this is also getting a little out of hand.

18:34:31 21 I think when he said, "Now, no," he meant  
18:34:33 22 that it wasn't before him to read because it wasn't  
18:34:36 23 before him. Why don't we just simply allow him to  
18:34:40 24 go into the bag, subject to review by counsel for  
18:34:44 25 privilege, and then you'll have the opportunity to

18:34:47 1 give him -- to refresh his recollection, and you can  
18:34:50 2 go forward.

18:34:51 3 MR. SCHOEN: Let me say something. I asked  
18:34:53 4 this witness this question originally, and the witness  
18:34:56 5 said he had that information in front of him. At that  
18:34:59 6 point, as the video will show and we all saw in this  
18:35:00 7 room, Mr. McAleer's hand came in and pulled the white  
18:35:05 8 document sitting on the table. I didn't know if that  
18:35:06 9 was the document --

18:35:13 10 MR. McALEER: Counsel, I haven't removed --

18:35:13 11 MR. SCHOEN: I'm talking, Mr. McAleer.

18:35:13 12 MR. McALEER: It's right here.

18:35:13 13 MR. SCHOEN: I'm talking, Mr. McAleer.

18:35:13 14 MR. McALEER: It's right here.

18:35:13 15 THE COURT REPORTER: Counsel. Counsel, all  
18:35:13 16 of you, one at a time, please.

18:35:14 17 MR. McALEER: Mr. Schoen, I haven't removed  
18:35:16 18 any document from the table. It is right here. It is  
18:35:19 19 not even the one that he's referring to.

18:35:20 20 MR. SCHOEN: I know that's the document --

18:35:20 21 MR. McALEER: The one he's referring to is  
18:35:24 22 in the bag.

18:35:24 23 MR. SCHOEN: I know that's the document that  
18:35:27 24 I say you grabbed and pulled away and then you pushed  
18:35:30 25 it back there. We have a video, hopefully, and that's

18:35:34 1 being recorded. But that's not the point here. I  
18:35:37 2 didn't know if it's that document or any other document.  
18:35:40 3 You just grabbed that document.

18:35:41 4 MR. HIBEY: All right --

18:35:42 5 MR. SCHOEN: I don't care what's in that  
18:35:44 6 document.

18:35:45 7 MR. HIBEY: Wait a minute. Could we agree --  
18:35:47 8 could we agree that the document, ultimately, that  
18:35:51 9 Mr. Shaqbu'a wants to consult is a document in the bag?

18:35:57 10 MR. SCHOEN: I'll agree with you if you say  
18:35:59 11 that. I have no idea.

18:36:01 12 MR. HIBEY: I don't either. But we have to  
18:36:03 13 see if we can move this thing along a little.

18:36:07 14 MR. SCHOEN: Sure.

18:36:08 15 MR. HIBEY: And Mr. McAleer should review  
18:36:10 16 the document for privilege protection. And then it  
18:36:14 17 should -- if it is not privileged or can otherwise be  
18:36:19 18 shown or published to the witness, he can refresh his  
18:36:23 19 recollection with it and maybe give you the answer to  
18:36:26 20 the numerous individuals that he was trying to identify  
18:36:30 21 strictly from memory.

18:36:33 22 MR. SCHOEN: Let's go.

18:36:34 23 MR. McALEER: All right. May he remove the  
18:36:38 24 document from the bag?

18:36:39 25 MR. SCHOEN: How about I'm letting Mr. Hibey



18:36:39 1 handle this. He seems to be doing a good job here.

18:36:41 2 Mr. Hibey, you want to handle it?

18:36:46 3 MR. HIBEY: Please. I have full confidence  
18:36:49 4 in my colleague in Amman to handle the thing entirely.

18:36:53 5 If there is a document in that bag that needs  
18:36:56 6 to be looked at at this time by Mr. McAleer, perhaps  
18:36:59 7 he could do so, with the permission of the owner of  
18:37:02 8 the bag.

18:37:03 9 MR. McALEER: Mr. Shaqbu'a, may I get the  
18:37:06 10 document out of the bag?

18:37:09 11 THE WITNESS: (In English.) No.

18:37:09 12 (Translated.) No.

18:37:10 13 MR. McALEER: Is the document in the bag?

18:37:16 14 MR. SCHOEN: Okay. I have no further  
18:37:18 15 questions of Mr. Shaqbu'a.

18:37:21 16 THE WITNESS: I have it, yes, in the bag.

18:37:23 17 MR. SCHOEN: Okay. The deposition is over  
18:37:25 18 from my perspective. If you have other questions,  
18:37:29 19 please ask your questions.

18:37:33 20 CHECK INTERPRETER ALAYAM: Translation?  
18:37:34 21 Excuse me?

18:37:37 22 MR. McALEER: Can we have a translation?

18:37:39 23 CHECK INTERPRETER ALAYAM: Your people didn't  
18:37:39 24 translate. Can you repeat what you just said? He said:  
18:37:43 25 I have it, the documents in my bag. But he didn't say

1 I have it, because it refers to the --

2 OFFICIAL INTERPRETER RABINOVITCH: I didn't  
3 hear that.

4 CHECK INTERPRETER ALAYAM: -- the one that  
5 we talked about. So could we be a little bit accurate  
6 about this one, please? Thank you.

7 MR. SCHOEN: Okay. Let me be accurate about  
8 this: I have no further questions of this witness. So  
9 the deposition is over, from my perspective.

10 If the defense has questions they'd like to  
11 ask, please go right ahead.

12 MR. McALEER: All right. Let's take a break,  
13 and we'll determine if the defense has any questions.

14 MR. SCHOEN: How long a break?

15 MR. McALEER: I don't know yet. Let's say  
16 15 minutes. If it's shorter, I'll -- it'll be shorter.

17 Going off the record for a break.

18 (Recess from 6:38 p.m. to 7:08 p.m.)

19 MR. HIBEY: On the record.

20 The record should reflect that we've  
21 encountered substantial technical difficulties back  
22 here. And as a result, while the -- Amman and Jerusalem  
23 can communicate with one another and indeed see one  
24 another, the proceedings at this point will not be  
25 video -- will not be audiotaped and/or videotaped.

19:08:56 1 MR. SCHOEN: The video recording?

19:09:00 2 MR. HIBEY: I don't know. However, our  
19:09:03 3 intrepid court reporter, Amy, is still on the job,  
19:09:09 4 and so she will record stenographically the remainder  
19:09:20 5 of these proceedings.

19:09:27 6 This is to advise the record and my colleague  
19:09:34 7 in Amman that I've proposed that the witness be allowed  
19:09:38 8 to refresh his recollection as to the names of the  
19:09:45 9 persons and institutions that he was to check on from  
19:10:05 10 a -- from a privileged document. And the proposal was  
19:10:16 11 that he be allowed to refresh his recollection with that  
19:10:21 12 document but that the document would not be marked and  
19:10:27 13 made an exhibit in this deposition.

19:10:37 14 That proposal was not accepted. So that is  
19:10:46 15 the situation from here.

19:10:49 16 I leave it to Mr. McAleer to take up any  
19:10:54 17 questioning he sees fit, because as I understand it,  
19:11:00 18 Mr. Schoen has passed the witness.

19:11:02 19

19:11:02 20 EXAMINATION

19:11:03 21 BY MR. McALEER:

19:11:03 22 Q. Mr. Shaqbu'a, good afternoon.

19:11:18 23 May I ask you to take from the black bag  
19:11:21 24 in front of you the document to which you had been  
19:11:26 25 referring.

19:11:35 1 MR. McALEER: And if we could with the  
19:11:38 2 translation, let's have it sequential, not simultaneous.

19:11:53 3 THE WITNESS: This is what I have in my bag.

19:11:56 4 MR. SCHOEN: Now if I just may interject, now  
19:12:00 5 there is a problem that we don't have a video recording  
19:12:03 6 all of a sudden.

19:12:07 7 MR. HIBEY: Then I invite Mr. McAleer to  
19:12:12 8 describe on the record what the witness has done,  
19:12:19 9 respecting that document which the video reflects he  
19:12:24 10 has in his hand.

19:12:36 11 MR. McALEER: I will do so. That's what I  
19:12:39 12 was planning.

19:12:40 13 The witness has removed documents from his  
19:12:43 14 black bag. Without looking at them, I'm asking the  
19:12:47 15 witness to hand them over to me, please.

19:12:50 16 The record should reflect that the witness  
19:12:52 17 is doing so.

19:13:05 18 I would like the record to reflect that  
19:13:07 19 the first page of the document is a copy of an e-mail  
19:13:13 20 communication between me and Mr. Shaqbu'a relating  
19:13:18 21 to the location of the deposition and other logistical  
19:13:24 22 matters pertaining to the deposition. That is page one  
19:13:28 23 of the document.

19:13:49 24 Page two is the end of that e-mail printout,  
19:13:54 25 which contains no substantive information but merely

19:14:00 1 e-mail transmittal information.

19:14:20 2 I'm turning to the third page of the  
19:14:24 3 collection of documents that Mr. Shaqbu'a gave me.  
19:14:37 4 These are -- this is a one-page document with a set of  
19:14:42 5 handwritten notes by me to Mr. Shaqbu'a. The notation  
19:15:00 6 references the following bank account numbers: Account  
19:15:12 7 number 220094 [sic]; account number 0013-373179-001,  
19:15:53 8 with a reference to the Bank of Beirut and the Arab  
19:15:59 9 Countries.

19:16:07 10 The third document that has been -- I'm sorry.

19:16:12 11 Yes, the third document is a one-page document  
19:16:25 12 in Arabic, which I know to be a memorandum from  
19:16:35 13 Mr. Nashashibi, chair of the Palestine National Fund,  
19:16:39 14 to counsel for the PLO, Miller & Chevalier Chartered,  
19:17:05 15 relating to a search performed at the request of counsel  
19:17:09 16 for the PLO, by Miller & Chevalier Chartered, in this  
19:17:26 17 action.

19:17:34 18 The fourth document is a one-page document  
19:17:45 19 which is, in part, a communication between counsel  
19:17:49 20 for the PLO, Miller & Chevalier Chartered, to the PNF,  
19:18:11 21 regarding a request for the PNF to conduct a search  
19:18:19 22 of records of the PNF regarding this action. And the  
19:18:46 23 document contains a set of handwritten notes, which  
19:18:55 24 I understand to be the notes of Mr. Yasser Shaqbu'a  
19:18:58 25 regarding the request by counsel to conduct a search,

19:19:15 1 in which Mr. Shaqbu'a has written in Arabic there a  
19:19:25 2 list of the names contained within the English language  
19:19:30 3 request.

19:19:39 4 And that is the last page of this group of  
19:19:42 5 documents that Mr. Shaqbu'a has handed to me from his  
19:19:47 6 black bag, without looking at it between the time it  
19:19:51 7 left his black bag and handed it to me.

19:19:54 8 Q. BY MR. McALEER: Mr. Shaqbu'a, have I  
19:20:10 9 accurately described the full contents, by reference,  
19:20:13 10 of the documents that you handed to me just a moment  
19:20:17 11 ago from your black bag?

19:20:19 12 MR. SCHOEN: Objection.

19:20:30 13 THE WITNESS: Yes. It's very clear.

19:20:35 14 Q. BY MR. McALEER: Mr. Shaqbu'a, were you asked  
19:20:42 15 to conduct an electronic and hard-copy records search --

19:20:47 16 (Brief exchange in Arabic between Official  
19:20:47 17 Interpreter Rabinovitch and Check Interpreter  
19:20:47 18 Alayam.)

19:21:05 19 Q. BY MR. McALEER: -- of the electronic and  
19:21:08 20 hard-copy information of the PNF, to determine if there  
19:21:22 21 were any payments made by the PLO, including the PNF,  
19:21:41 22 during the period February 16, 1998, to February 16,  
19:21:53 23 2002, to any of the following persons or entities:  
19:22:10 24 PFLP; Al-Hadaf Center for Studies and Media; Union  
19:22:21 25 of Palestinian Women's Committees; George Habash;

19:22:37 1 Abu Ali Mustafa; Ahmed Sa'adat; Abdel Rahim Malouh;  
19:22:51 2 Sadiq Ahed Abdel Hafez, ID number 922361217?

19:23:05 3 OFFICIAL INTERPRETER RABINOVITCH: Could you  
19:23:06 4 repeat the ID number?

19:23:15 5 THE COURT REPORTER: I could use the ID number  
19:23:16 6 repeated, too.

19:23:16 7 OFFICIAL INTERPRETER RABINOVITCH: Repeat it,  
19:23:16 8 please.

19:23:16 9 Q. BY MR. McALEER: ID number 922361217.

19:23:37 10 Hamdi Quran, Q-u-r-a-n; Fazal Al-Azmar; Majdi  
19:23:50 11 Raheema Rimawi; and Ahmad Ulma.

19:24:07 12 MR. SCHOEN: Objection.

19:24:10 13 Q. BY MR. McALEER: Were you asked -- were  
19:24:10 14 you asked to conduct a search of the PNF records  
19:24:17 15 regarding any such payments during that period of  
19:24:18 16 time, February 16, 1998, to February 16, 2002, for  
19:24:23 17 any transfers from the PNF or PLO to any of the  
19:24:28 18 following persons or entities?

19:24:32 19 MR. SCHOEN: Objection. Objection. Leading.

19:24:33 20 (Brief exchange in Arabic among Official  
19:24:33 21 Interpreter Rabinovitch, Official Interpreter  
19:24:33 22 Aghazarian, and Check Interpreter Hazou.)

19:24:33 23 MR. SCHOEN: Objection. Leading.

19:24:56 24 And it appears on the screen -- and, again,  
19:24:58 25 we don't have the benefit of a video recording. But

19:25:02 1 it appears on the screen that Mr. McAleer or whoever's  
19:25:05 2 hands those are that is holding the document and appears  
19:25:11 3 to have been reading from that document -- I would just  
19:25:14 4 ask whether it would be confirmed or denied whether  
19:25:14 5 counsel was reading from that document when he gave  
19:25:16 6 Mr. Malouh the names -- I meant Mr. Shaqbu'a. I  
19:25:29 7 meant -- I misstated his name.

19:25:34 8 Q. BY MR. McALEER: Mr. Shaqbu'a, did you  
19:25:37 9 conduct a search of the PNF records to identify any  
19:25:44 10 such payments or transfers to those persons or entities?

19:25:49 11 MR. SCHOEN: Objection again. Leading. And  
19:25:55 12 a continuing objection to counsel's refusal to answer  
19:25:59 13 my question, especially in light of the breakdown of  
19:26:01 14 the video system, which I understand the defendants  
19:26:05 15 were responsible for today.

19:26:07 16 Q. BY MR. McALEER: In your search, did you  
19:26:21 17 identify any transfers from the PLO, including the PNF,  
19:26:27 18 of money to those persons or entities --

19:26:31 19 MR. SCHOEN: Same objections.

19:26:32 20 Q. BY MR. McALEER: -- during that time period?

19:26:35 21 MR. SCHOEN: Same objections.

19:26:46 22 THE WITNESS: No, I didn't find, with  
19:26:57 23 the exception of the bills which were paid for the  
19:27:02 24 telephone, electricity, and water of the home of  
19:27:06 25 Mr. Abdel Rahim Malouh.



CHECK INTERPRETER HAZOU: "And I have not paid them personally."

THE WITNESS: I have not paid them personally.

CHECK INTERPRETER HAZOU: "Paid him."

OFFICIAL INTERPRETER AGHAZARIAN: "Paid Mr. Malouh personally."

Q. BY MR. McALEER: Mr. Shaqbu'a, did you at any point expand your search to include a broader time period for any transfers from the PLO, including the PNF, to those listed persons or entities?

MR. SCHOEN: Same objection.

THE WITNESS: Yes. Yes, I did. I went in to search since the first. I have went and checked, you know, all the period ranging from the 1st of July, 1993, until the 31st of December, 2007.

Q. BY MR. McALEER: What did you find, if anything, in that search?

A. I have not found any financial payments to the favor of those names that are mentioned in the list and the institutions.

Q. Mr. Shaqbu'a, did you conduct any search of transfers to the two bank accounts listed on the second document of this collection that you had handed to me?

MR. SCHOEN: Same objection.

Q. BY MR. McALEER: Specifically a search for

19:29:51 1 any transfers from the PLO, including the PNF, to  
19:29:51 2 account numbers 22094 [sic], account 0013 373179 001,  
19:29:51 3 in the Bank of Beirut and the Arab Countries?

19:30:04 4 MR. SCHOEN: Same objections.

19:30:10 5 THE WITNESS: Yes, I have conducted the  
19:30:24 6 search. And I have found that there were no money  
19:30:28 7 transfers whatsoever to these names and addresses.

19:30:32 8 Q. BY MR. McALEER: Is it your testimony that  
19:30:34 9 there were --

19:30:35 10 A. (In English.) These two accounts.

19:30:39 11 (Brief exchange in Arabic among Official  
19:30:39 12 Interpreter Rabinovitch, Official Interpreter  
19:30:39 13 Aghazarian, and Check Interpreter Hazou.)

19:30:39 14 Q. BY MR. McALEER: -- that there were no  
19:30:39 15 transfers from the PLO, including the PNF, to those  
19:30:39 16 accounts --

19:30:39 17 (Court reporter clarification.)

19:31:03 18 Q. BY MR. McALEER: So it's your testimony that  
19:31:05 19 your search did not reveal any transfers from the PLO,  
19:31:10 20 including the PNF, to those two accounts for that period  
19:31:14 21 from 1993 to 2007?

19:31:16 22 Is that correct?

19:31:36 23 A. My search for the transfers for these  
19:31:39 24 particular two accounts included the whole range of  
19:31:48 25 period of the functioning of the PNF. Because any

19:31:59 1 bank account that is dealt with, even if it is a single  
19:32:08 2 transaction, we could inquire about it through the  
19:32:20 3 system of the accounts and the system of the computer,  
19:32:29 4 the information and additional information related to  
19:32:32 5 it.

19:32:37 6 Q. And did you find any transfers to those two  
19:32:40 7 accounts during that -- that entire period?

19:32:43 8 MR. SCHOEN: Same objection.

19:32:48 9 THE WITNESS: (Translated.) No, I have not --  
19:32:51 10 no, I have not found.

19:32:55 11 (In English.) I didn't find any -- any  
19:32:57 12 payment to these two accounts.

19:33:00 13 MR. SCHOEN: Let the record reflect that the  
19:33:02 14 witness answered that in English.

19:33:11 15 THE WITNESS: (In English.) Okay.

19:33:13 16 (Translated.) Thank you.

19:33:14 17 MR. McALEER: Those are the only questions  
19:33:15 18 I have for the witness at this time.

19:33:19 19 MR. SCHOEN: I ask that the document  
19:33:20 20 Mr. McAleer was holding, referring to, reading from,  
19:33:25 21 be marked as an exhibit to this deposition, which  
19:33:28 22 would be Exhibit B.

19:33:29 23 Since I've asked that the -- what appears  
19:33:31 24 to be a two-page document that the witness consulted  
19:33:34 25 earlier in the deposition, when the video recording

19:33:37 1 was working, I've asked to have been marked earlier.

19:33:40 2 So that would be Exhibit A, and this would be Exhibit B  
19:33:44 3 to the deposition.

19:33:47 4 MR. McALEER: Counsel, we were -- the audio  
19:33:49 5 was breaking up, but I believe I got the gist of what  
19:33:52 6 you just said.

19:34:06 7 But let the record reflect, and I'll describe  
19:34:10 8 exactly what's happening. The two documents that were  
19:34:17 9 on the page -- on the table earlier, before --

19:34:22 10 CHECK INTERPRETER ALAYAM: It's cutting off  
19:34:25 11 still.

19:34:27 12 MR. McALEER: -- are being collected by me,  
19:34:30 13 and I will hold them as exhibits to this deposition.  
19:34:37 14 But the record will reflect that the only one of the  
19:34:40 15 two documents that the witness -- I'm holding up and  
19:34:49 16 I will mark as A.

19:34:58 17 MR. SCHOEN: I'd ask that the whole document  
19:34:59 18 be marked as Exhibit A.

19:34:39 19 THE COURT REPORTER: Mr. McAleer, can I just  
19:34:39 20 tell you, of your statement, I have, "But the record  
19:34:39 21 will reflect that the only one of two documents that the  
19:34:43 22 witness," and then the sound cut out, and then you said,  
19:34:43 23 "I'm holding up and I will mark as A." So I don't have  
19:34:43 24 what the witness did, if you follow what I'm saying.

19:35:25 25 MR. McALEER: Okay. Thank you, Amy. Let me

19:35:25 1 go back.

19:35:30 2 Of the two documents that were in front of  
19:35:33 3 the witness and referenced by counsel for plaintiffs  
19:35:37 4 earlier, the witness only looked at one of those two  
19:35:47 5 documents, and that document I have marked with the  
19:35:56 6 letter "A" at the bottom.

19:36:04 7 The other document is the one that Mr. Schoen  
19:36:06 8 accused me of taking from the witness.

19:36:16 9 As the record should reflect, the document  
19:36:19 10 is a folded document, which is blank on both sides of  
19:36:24 11 the fold, and was not unfolded or looked at by the  
19:36:39 12 witness during the testimony or during the deposition  
19:36:55 13 or any break of the deposition. I will mark that  
19:37:07 14 document with a "B."

19:37:09 15 I will then mark with a "C" the collection  
19:37:23 16 of documents that Mr. Shaqbu'a handed to me from his  
19:37:29 17 black bag in front of all counsel, and are the documents  
19:37:47 18 I described generally on the record after Mr. Shaqbu'a  
19:37:53 19 had handed them to me.

19:38:00 20 The record should reflect that these documents  
19:38:03 21 are stapled together, and Mr. Shaqbu'a has not looked  
19:38:26 22 at or seen in the course of this deposition, including  
19:38:31 23 my examination, and as to which defendants assert  
19:38:46 24 privilege and any other applicable protection.

19:38:59 25 And I'll represent to counsel that I will

19:39:01 1 take into possession Exhibits A, B, and C, and maintain  
19:39:08 2 them pending further discussions between counsel.

19:39:28 3 And those are the only documents here in the  
19:39:31 4 deposition room that were referenced earlier and were  
19:39:34 5 the subject of any discussion.

19:39:44 6 MR. SCHOEN: Is there anyone else there who  
19:39:46 7 could take them into their possession instead?

19:39:59 8 MR. HIBEY: That is -- that is -- excuse me.  
19:40:03 9 Excuse me. Having had earlier experience with Rule 502  
19:40:10 10 of the Federal Rules of Evidence, sequestration, as  
19:40:17 11 Mr. Schoen pointed out to me, can be achieved by  
19:40:23 12 retention of the documents in question by counsel.  
19:40:28 13 And I would say that that's what we're going to do.

19:40:48 14 MR. SCHOEN: I would ask that the documents  
19:40:50 15 be turned over and kept in the possession of a neutral  
19:40:53 16 third party, reliable third party.

19:40:55 17 MR. HIBEY: Is that because you don't trust  
19:40:57 18 us?

19:40:58 19 MR. SCHOEN: When you say "us" --

19:41:00 20 MR. HIBEY: Counsel. It's counsel.

19:41:00 21 MR. SCHOEN: I'm speaking about Mr. McAleer.  
19:41:03 22 Yes, I don't any longer.

19:41:14 23 MR. HIBEY: Well, that speaks volumes to me.  
19:41:16 24 We will maintain the documents.

19:41:26 25 Are there any other questions?

19:41:30 1 MR. SCHOEN: Are you asking me or Mr. McAleer?

19:41:33 2 MR. HIBEY: I'm asking Mr. McAleer. Are there  
19:41:36 3 any other questions?

19:41:40 4 MR. McALEER: No. I had previously indicated  
19:41:42 5 those are all the questions I had.

19:41:45 6 MR. HIBEY: Oh, that's right.

19:41:46 7

19:41:46 8 FURTHER EXAMINATION

19:41:46 9 BY MR. SCHOEN:

19:41:46 10 Q. Yes, Mr. Shaqbu'a, where exactly did you  
19:41:51 11 conduct your search, in what records?

19:41:54 12 A. I searched to the accounting system in the  
19:42:12 13 computer within my office.

19:42:14 14 Q. Within the PNF?

19:42:17 15 (Brief exchange in Arabic between Official  
19:42:17 16 Interpreter Rabinovitch and the witness.)

19:42:17 17 THE COURT REPORTER: I don't have a  
19:42:17 18 translation.

19:42:17 19 MR. HIBEY: What's the translation?

19:42:17 20 THE WITNESS: Yes, in the PNF. PNF.

19:42:30 21 (Comment in Arabic by the witness.)

19:42:30 22 MR. SCHOEN: He just said something.

19:42:30 23 OFFICIAL INTERPRETER RABINOVITCH: He said:

19:42:41 24 "The PNF." He said by mistake "IMF," but it's just  
19:42:43 25 a tongue-slip, nothing else.

19:42:46 1 Q. BY MR. SCHOEN: Do you have access to conduct  
19:42:46 2 a search for all of the PLO accounts all around the  
19:42:53 3 world?

19:42:56 4 A. Yes.

19:42:58 5 Q. How do you conduct a search of the PLO bank  
19:43:02 6 accounts --

19:43:06 7 A. I'm sorry. What do you mean, having access  
19:43:10 8 into a bank account?

19:43:12 9 Q. The PLO has a bank account in Indonesia, for  
19:43:17 10 example?

19:43:22 11 A. Of course not.

19:43:23 12 Q. Oh. The PLO doesn't have a bank account in  
19:43:26 13 Indonesia?

19:43:33 14 A. Yes, it has. But I have no ability to access  
19:43:39 15 it.

19:43:40 16 Q. And that would be the same answer for PLO bank  
19:43:43 17 accounts in all of the other countries in which the PLO  
19:43:48 18 maintains a bank account?

19:43:56 19 A. Yes.

19:43:56 20 MR. SCHOEN: No further questions.

19:44:00 21 MR. HIBEY: I think we're adjourned. I think  
19:44:07 22 we're now done. We are off the record. Thank you very  
19:44:10 23 much.

24 (The deposition concluded at 7:44 p.m.)  
25



## 1 CERTIFICATE OF WITNESS/DEPONENT

2  
3 I, YASSER SHAQBU'A, witness herein, do  
4 hereby certify and declare the within and foregoing  
5 transcription to be my examination under oath in said  
6 action taken on September 12, 2012, with the exception  
7 of the changes listed on the errata sheet, if any;

8 That I have read, corrected, and do hereby  
9 affix my signature under penalty of perjury to said  
10 examination under oath.

11  
12  
13  
14  
15 \_\_\_\_\_  
16 YASSER SHAQBU'A, Witness

\_\_\_\_\_ Date

CERTIFICATE OF REPORTER

I, AMY R. KATZ, RPR, do hereby certify:

That, prior to being examined, the witness named in the foregoing deposition was duly affirmed by me to testify to the truth, the whole truth, and nothing but the truth;

That the foregoing deposition was taken before me at the time and place herein set forth, at which time the aforesaid proceedings were stenographically recorded by me and thereafter transcribed by me;

That the foregoing transcript, as typed, is a true record of the said proceedings;

And I further certify that I am not interested in the action.

Dated this 12th day of November, 2012.

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AMY R. KATZ, RPR

ERRATA SHEET

\*\*\* SHABTAI SCOTT SHATSKY, et al., v.

THE SYRIAN ARAB REPUBLIC, et al. \*\*\*

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\_\_\_\_\_  
YASSER SHAQBU'A, Witness

\_\_\_\_\_  
Date

SEPTEMBER 12, 2012 - YASSER SHAQBU'A